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THE

CHURCH HISTORY OF BRITAIN;

FROM

THE BIRTH OF JESUS CHRIST UNTIL

THE YEAR M.DC.XLVIII.

ENDEAVOURED

BY THOMAS FULLER, D.D.

PREBENDARY OF SARUM.

A NEW EDITION, IN SIX VOLUMES,

BY THE REV. J. S. BREWER, M.A.

VOLUME II.

OXFORD:

AT THE UNIVERSITY PRESS.

M.DCCC.XLV.

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THE

CHURCH HISTORY

OF

BRITAIN.

THE THIRD BOOK,

FROM THE COMING IN OF THE NORMANS, UNTIL THE APPEARING OF JOHN WICLIFFE.

TO THE

RIGHT HONOURABLE

WILLIAM,

LORD BEAUCHAMPE, &c.,

GRANDCHILD AND HEIR APPARENT TO THE RIGHT HONOURABLE WILLIAM[a], MARQUIS OF HERTFORD.

SOME there are who exact of every Christian (as a touchstone to their sincerity) to render an account of the exact time of their conversion, with the circumstances thereof, how, when, and where performed. I must crave leave to enter myself a dissenter herein, conceiving such a demand unreasonable, as generally required essential to all true believers.

I confess some may return a satisfactory answer thereunto; namely, such whose souls, suddenly snatched out of error and viciousness, were immediately wrought upon, almost in an instant, by the Spirit of God. Thus of those three thousand gained[b]

[a] [William Seymour, created duke of Somerset in 1660. See some account of him in Lloyd's Memoirs, p. 546. Lord Clarendon gives a high character of him, and his regard for the church. Hist. of the Rebellion, II. 244, sq.]

[b] Acts ii. 41.

(on Many-saints-day) by St. Peter at Jerusalem with the preaching of one sermon, each one might punctually and precisely tell the very moment of their true conversion, and generally, the worse men have been, the better they can point at the accurate date thereof.

And thus as kings count their actions by the years of their reign, bishops formerly of their consecration, so these may use the style, In the first of our conversion, first, or second, &c. And as Herod kept a festival of his natural birthday[c], such, if so pleased, may duly and truly observe an anniversary solemnity of their regeneration.

A privilege, not granted to all true believers, God, to shew his power that he can, and pleasure that he will, vary the manner of men's conversion, (though going the same path by his word and Spirit,) useth a slower pace in the hearts of others in whom grace is wrought *sensim sine sensu*, modelled by degrees: in such no mortal man can assign the minutary juncture of time, when preparing grace, which cleared the ground, ended, and saving grace, which finished the fabric of conversion, did first begin.

Observable to this purpose are the words of our Saviour, *So is the kingdom of God, as if a man should cast seed into the ground; and should sleep, and rise night and day, and the seed should spring and grow up, he knoweth not how*[d]. That grace is

[c] Matt. xiv. 6. [d] Mark iv. 26.

sown, and is grown, men know; but when and how, in the persons aforesaid, God knows.

Besides these (adult converts), there are a second sort of Christians unable to discover the date of grace dawning in them; namely, such who with Timothy[e] may be said to be good, time out of mind, sucking in grace with their milk, extracted from, and educated under a pious parentage.

I hope and trust that your honour may truly be ranked in this latter form, that as many ancient deeds, written before the reign of king Henry the Third, are commonly without any date, grace in like manner will arise so early in your heart, advantaged by your godly birth and breeding, that you shall not remember the beginning thereof.

However, to make sure work, it will be safest to examine yourself, when arrived at age, what eminent accessions and additions of grace you can remember, with the place and time when the same were effectually wrought in your soul, and what bosom sin you have conquered. Especially take notice of your solemn reconciling to God after repentance for some sin committed.

David no doubt in some sort may be said to be born good, God being his hope when in the womb[f], when on the breasts of his mother, trusting in him[g], and taught by him from his youth[h]. Now though

[e] 2 Tim. i. 5. and iii. 15.
[f] Psal. xxii. 10.
[g] Psal. lxxi. 5.
[h] Psal. lxxi. 17.

probably he could not remember his first and general conversion, he could recount his reconversion after his foul offences of adultery and murder, as by his penitential Psalm doth plainly appear.

Otherwise such who boast themselves converted before memory, by the privilege of their pious infancy, if they can recover no memorials of their repentance after relapse, and produce no time nor tokens thereof, are so far from being good from their cradle, it is rather suspicious they will be bad to their coffin, if not labouring for a better spiritual estate.

And now my lord let me recommend to your childhood the reading of the holy scriptures, as the apostle termeth them[i], holy in the fountain, flowing from the Holy Spirit inditing them, holy in the conduit-pipe, derived through holy men penning them[k], holy in the liquor, teaching, and directing to holiness, holy in the cistern, working sanctity in such as worthily receive them, and making them wise unto salvation.

Now next to the study of the scriptures, history best becometh a gentleman, church-history a Christian, the British history an Englishman; all which qualifications meeting eminently in your honour, give me some comfortable assurance that these my weak endeavours will not be unwelcome unto you;

[i] 2 Tim. iii. 15. [k] 2 Peter i. 21.

by perusing whereof some profit may probably accrue to yourself, and more honour will certainly redound to

The meanest and unworthiest

Of your Lordship's servants,

THOMAS FULLER.

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A. D. 1067. Gul. Conq.

The drunken English conquered by the Normans, and Battel Abbey founded.

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THE

CHURCH HISTORY

OF

BRITAIN.

CENTURY XI.

ILLIAM duke of Normandy being thus arrived, soon conquered Harold with an army of Normans, as far beneath the English in number, as above them in temperance[a]: for the English being revelling before, had in the morning their brains arrested for the

A. D. 1067. 1 Gul. Conq.

The drunken English conquered by the Normans, and Battel Abbey founded.

[a] [Not so according to Matthew Paris: "Haroldus interea de pugna Noricorum "reversus, cum adventum Wilhelmi cognovisset, *rarissimo* "stipatus milite Hastingas "pertendit. Nam præter stipendiarios militis et conductitios, ex provincialibus *admodum habebat paucos*, ut "levi negotio bello possent a "supervenientibus superari." Hist. Ang. p. 3. Yet Thomas of Walsingham, in his Ypodigma Neustriæ, p. 436, and Gulielmus Gemmeticensis, Hist. Norman. vii. 35, assert that he collected an innumerable multitude. These statements can only be reconciled by supposing that these writers, being Normans, have exaggerated the numbers of the Saxons, or that they allude to the *rude* soldiery and peasantry hastily drawn together, and not to regular troops, in which the Normans most certainly far exceeded the English. See particularly Flor. Wigorn. an. 1066. and William of Malmsbury, f. 53, 56. The statement of this latter writer deserves attention. His observations on the state of the English at the time of the Norman invasion more clearly shew than the relation of any single act, the real causes of their defeat. Their degeneracy reminds one much of Gildas's description of the

A.D. 1067. 1 Gul. Conq. arrearages of the indigested fumes of the former night, and were no better than drunk when they

Britons at the time of the coming in of the Saxons. After observing that upon their conversion to Christianity, throughout every grade they were eminent for piety, self-denial, and works of charity, he proceeds; "What shall I say of so many "bishops, hermits, and abbots? "Was not the whole island "resplendent with the relics of "native saints, so numerous "that you can scarce pass any "village of ordinary account, "where you will not hear the "name of some new saint. And "of how many has the me-"mory perished, through the "want of historians!" But in a few years previous to the arrival of the Normans, learning and religion fell into neglect. The clergy, contented with a little learning picked up in haste (literatura tumultuaria), could scarce stammer forth the words of the sacraments; and he was a prodigy among them who understood grammar. The monks made a mockery of the rules of their order, by the fineness of their clothes, and unreserved gratification of their appetite. The nobles devoted to gluttony were not in the custom of going to church in the morning, like Christians, but in their bed-chambers, in the arms of their wives, tasted merely with their ears the solemnities of matins and mass, as they were gabbled over by the hurrying priest. The commons were a prey to the nobles, drained of their property, or driven into distant lands to collect wealth for others.

Many had proceeded to such atrociousness, as publicly to prostitute, or make slaves of their handmaids, who had become pregnant by them, as soon as they had satisfied their lust. Drunkenness was common to all classes; in this they spent whole nights and days; guilty of great profusion, though living in small and despicable dwellings; unlike in this respect to the French and Normans, who spend little, while their houses are great and superb. In the train of drunkenness followed those vices which effeminate the minds of man. And then it was that by one battle, and that of no great difficulty, they lost themselves and their country.

To conclude; at the time of the Norman conquest their dress was light, reaching to the knee; they wore their hair short, their beards shaven; their arms were laden with golden armlets, and their skin ornamented with punctures. Their vices of eating to surfeiting, and drinking till they provoked vomiting they taught their conquerors, in other respects adopting their manners.

The Normans on the contrary were costly in their dress even to emulation; and nice in their food: accustomed to war, and bold in attacking their enemies, but never scrupling to gain their ends with deceit

came to fight[b]. But these things belong to the historians of the state to relate; whilst it is proper to us to observe, that king William, to testify his gratitude to God for the victory, founded in that place Battel Abbey, endowing it with revenues and large immunities. The abbot whereof, being a baron of parliament, carried a pardon in his presence, who casually coming to the place of execution, had power to save any malefactor[c]. The Abbey church was a place of safety for any felon or murderer, though such popish sanctuaries themselves, if accused as unlawful, can find no refuge in scripture precepts, or precedents for their justification, seeing the very horns of the altar, by divine command, did push away those wilful offenders which fled unto them: and impunity being the greatest motive to impiety, made their convent the centre of sinners. Here the monks flourished in all affluence, as the old world in the days of Noah, *they ate, they drank, they bought, they sold,* would I might add, *they married wives, and were given in marriage,* (for want whereof they

A. D. 1067. 1 Gul. Conq.

or bribery when they could not succeed by open means. Superb in their buildings, moderate in their expenses, envious of their equals, ambitious of surpassing their superiors, as earnest in plundering their own vassals, as in defending them from being plundered by all others. Faithful in general to their lords; but forgetting their fidelity upon a slight offence; and ready for money to forgive injuries. Most courteous of all people to strangers, and taking wives even from their vassals. Religion, at that time dead in England, they roused again into life and being; repaired the churches, and built new monasteries; so devoted to their country and its aggrandizement, that every rich man among them thought that he had lost a day which he had not made remarkable by some act of magnificence. Gul. Malmsbur. f. 57.]

[b] Mane adhuc ebrii contra hostes incunctanter procedunt, M. Paris, [a. 1066. p. 3. See Malmsb. f. 56, b.]

[c] Camden's Brit. in Sussex, [p. 226. See its charter in Selden's notes to Eadmer, p. 165.]

A.D. 1067. 1 Gul. Conq. did worse,) till in the days of king Henry the Eighth they were all drowned in the general deluge of the dissolution.

William crowned by the archbishop of York, whilst many of the English clergy fly into Scotland.

2. Now it was proper to the place of Stigand, archbishop of Canterbury, to perform the solemnities of king William's coronation; but he declined that employment, pretending William's unlawful title, and loath to pour the sacred oil on his head, whose hands had shed so much innocent blood: the other accounting himself to have a better title to the crown by conquest, than the archbishop had to his mitre by simony, disdained his service, and accepted the crown from the hands of Ealdred, archbishop of York: who first required an oath of him, to defend the church, minister justice, and, amongst other things, to use Englishmen as favourably as Normans. Notwithstanding which oath, he made the Normans his darlings, and the English his drudges; insomuch as many English bishops and abbots, unable to comport themselves with his harshness, and conceiving it more credit and safety to go than to be driven away, fearing by degrees they should all be quarrelled out of their places, unwillingly willing quitted their preferments, and fled into Scotland[d]. Here king Malcolm Canmore, who had married Margaret, niece to Edward the Confessor, freely received them.

[d] [How great that oppression was we learn from the bitter complaint of Malmsbury. Referring to a prophecy of king Edward, who had predicted the subjugation of England to the Normans, he adds: "Hujus ergo vaticinii veritatem nos experimur; quod "scilicet Anglia facta est exterorum habitatio et alienigenarum dominatio. Nullus "hodie Anglus vel dux, vel "pontifex, vel abbas; advenæ "quoque divitias et viscera "corrodunt Angliæ; nec ulla "spes est finiendæ miseriæ." De Gestis, f. 52.]

He himself had formerly lived fourteen years in England; and now of a grateful guest, became a bountiful host, and courteously harboured these exiles. And as at this time England began to turn France, imitating the language, garb, and manners thereof, so Scotland began now to turn England; the families transplanted thither transporting the English customs, fashions, and civilities along with them. A.D. 1067. 1 Gul. Conq.

3. About this time Doomsday book was made, containing an exact survey of all the houses and land in the kingdom, unpartially done with rigorous severity. They omitted *nec lucum, nec lacum, nec locum*[e], so accurate they were in the very fractions of the land: and therefore it may seem a miracle that the monks of Croyland should find a courtesy peculiar to themselves, (belike out of veneration to their covent,) that their lands were rated *nec ad spatium, nec ad pretium*[f], "neither so much in quantity, nor "so high in value as indeed they were worth." This Book of the General Survey of England, though now begun, did take up some years before it was completed[g]. A.D. 1068. Doomsday-book made.

4. King William called a synod of his bishops at Winchester, wherein he was personally present, with two cardinals sent thither from Rome. Here Stigand archbishop of Canterbury was deposed, for several uncanonical exorbitances, and Landfranc, a lordly Lombard, substituted in his room. Stigand lived some years after in a prison, and, which was A.D. 1070. Stigand deposed in a council at Winchester.

e Ingulphi Historia, f. 516.
f Idem ibid.
g Florentius Wigorniensis and Higden make it finished anno 1078. [See sir Henry Ellis Introduction to Doomsday.]

A. D. 1070. 4 Gul. Conq.

worse, a prison lived in him, being straitened in his own bowels towards himself. For pretending poverty, he denied himself necessaries, being afterwards discovered to carry a key about his neck which opened to infinite treasure, so that none would lavish pity on him, who starved in store, and was wilfully cruel to himself[h].

h [The deprivation of Stigand appears to have been remarkably unjust; and was no doubt occasioned by his non-compliance with the wishes of William I., and for having received his pall from the anti-pope Benedict X. The subsequent chroniclers in their histories of the Norman conquerors and their proceedings, either from carelessness or design, have omitted some most material passages, and their narrations are consequently most inconsistent. The degradation of Stigand proceeded from three causes, says Flor. Wigorn. a. 1070: first, for his holding the archbishopric of Canterbury in conjunction with the see of Winton whilst Robert the archbishop was in exile, for using Robert's pall in the celebration of mass, and lastly, for receiving his own pall from Benedict an excommunicated pope. Then continues the historian; "Ejus "quoque frater Agelmarus "East-anglorum episcopus est "degradatus; abbates etiam "aliqui ibi degradati sunt, "*operam dante rege ut quam-*"*plures ex Anglis suo honore*"*privarentur, in quorum locum*"*suæ gentis personas subro-*"*garet, ob confirmationem sci-*"*licet sui, quod noviter acqui-*"*sierat, regni.*" This was the great offence; for as to the first charge, both Dunstan and others not unusually held two sees, for which they are commended by these monkish writers. 2dly, Robert having been banished for his turbulent conduct, his see was of course vacant. And lastly, when Stigand received his pall, Benedict *was the acknowledged pope;* nor was it indeed easy in the contentions of these ambitious pontiffs to discover who was the legitimate superior. Although Malmsbury is severe in his censure of Stigand, yet in other places of his history he acknowledges that Stigand acted more from error than design: "Ego conjicio illum non ju-"dicio sed errore peccasse, "quod homo illiteratus, sicuti "plerique et pene omnes tunc "temporis Angliæ episcopi, "nesciret quantum deliqueret, "rem ecclesiasticorum nego-"tiorum sicut publicorum acti-"tari existimans." De Gestis, f. 116.

With his usual cunning, proceeds the Chronicler, William refused to receive the crown from Stigand's hands, suborning objectors on the part of the see apostolic. He did

5. A learned lawyer hath observed, that "the first "encroachment of the bishop of Rome upon the "liberties of the crown of England was made in the "time of king William the Conqueror.—For the Con- "queror came in with the pope's banner, and under "it won the battle which got him the garland; and "therefore the pope presumed he might boldly pluck "some flowers from it, being partly gained by his "countenance and blessing[i]." Indeed king William kindly entertained these legates sent from Rome, so to sweeten the rank savour of his coming in by the sword, in the nostrils of religious men, pretending what he had gotten by power he would keep by a pious compliance with his holiness. But especially he did serve the pope to be served by him; that so with more ease and less envy he might suppress the English clergy. But although this politic prince was courteous in his complimental addresses to the see apostolic, yet withal he was careful of the main chance to keep the essentials of his crown; as, amongst others, by these four remarkable particulars may appear[k].

A.D. 1070. 4 Gul. Conq. The pope's first usurpation of the crown of England.

not think fit however to throw off the mask at once, but treated the prelate with the greatest possible respect, until the arrival of the pope's nuncio, who calling a council deposed Stigand appealing in vain to the king's protection. The unfortunate prelate was detained a prisoner at Winchester for the rest of his life. See also Gervas Dorobern. in Twysden, p. 1327.]

[i] Sir John Davys in his Irish Reports; case of præmunire, f. 87 and 89. [ed. 1628.]

[k] [Matt. Paris speaks very strongly of William's encroachment upon the power and property of the ecclesiastics. "A.D. "1070. rex Willielmus pes- "simo usus consilio, omnia "Anglorum monasteria auro "spolians et argento insatia- "biliter appropriavit, et ad "majora sanctæ ecclesiæ op- "probria calicibus et feretris "non pepercit. Episcopatus "quoque et abbatias omnes "quæ baronias tenebant, et "eatenus ab omni servitute "sæculari libertatem habu-

A. D. 1070. 4 Gul. Conq.

Yet king William invested ecclesiastical persons.

6. First, he retained the ancient custom of the Saxon kings, investing bishops and abbots, by delivering them a ring and a staff, whereby without more ado, they were put into plenary possession of the power and profit of their place[l]. Yea, when archbishop Landfranc, one so prevalent that he could persuade king William to any thing, provided that the king himself thought it fitting, requested William to bestow on him the donation of the abbey of St. Augustine in Canterbury; the king refused, saying, "that he would keep all pastoral staves in "his own hand[m]." Wiser herein than his successors, who parted with those staves, wherewith they themselves were beaten afterward.

And refuseth to do fealty to the pope.

7. Secondly, being demanded to do fealty for his crown of England to Gregory the Seventh, pope of Rome, he returned an answer as followeth:

Excellentissimo sanctæ ecclesiæ pastori Gregorio gloriosus, gratia Dei Anglorum rex, et dux Normannorum Willielmus salutem cum amicitia. Hubertus legatus tuus, religiose pater, ad me veniens ex tua parte me admonuit, ut quatenus tibi et successoribus tuis fidelitatem facerem, et de pecunia quam antecessores mei ad Roma-

In English:

"To Gregory the most excel-
"lent pastor of the holy church,
"William by the grace of God,
"king of the English, and duke
"of the Normans, wisheth health,
"and desireth his friendship[n].
"Religious father, your legate
"Hubert coming unto me, ad-
"monished me, in your behalf,
"inasmuch as I should do fealty
"to you and your successors, and
"that I should take better care

"erant sub servitute statuit "militari, &c." See also Watt's note on the passage.]

[l] Annal. Eccl. Lichfield MS. cited by Mr. Selden in his notes on Eadmerus, p. 142. [Since published in Wharton's Ang. Sac. I. p. 434.]

[m] Gervasius Dorobernensis MS. cited ibid. [Since printed in Twysden's X. Scriptores, p. 1327.]

[n] Or, remembereth his love to him.

nam ecclesiam mitere solebant, melius cogitarem. Unum admisi, alterum non admisi. Fidelitatem facere nolui, nec volo, quia nec ego promisi, nec antecessores meos antecessoribus tuis, id fecisse comperio. Pecunia tribus fere annis, in Galliis me agente, negligenter collecta est; nunc vero, divina misericordia me in regnum meum reverso, quod collectum est per præfatum legatum mittetur; et quod reliquum est per legatos Lanfranci, archiepiscopi fidelis nostri, cum opportunum fuerit, transmittetur. Orate pro nobis, et pro statu regni nostri, quia antecessores vestros dileximus, et vos præ omnibus sincere diligere et obedienter audire desideramus[o].

" for the payment of the money A.D. 1070.
" which my predecessors were 4 Gul. I.
" wont to send to the church of
" Rome. One thing I have
" granted, the other I have not
" granted. Fealty I would not
" do, nor will I, because I neither
" promised it, neither do I find
" that my predecessors ever did
" it to your predecessors. The
" money for almost three years
" when I was abroad in France
" hath been but negligently col-
" lected. But now seeing by di-
" vine mercy I am returned into
" my kingdom, what is gathered
" is sent by the aforesaid legate;
" and the arrears which remain
" shall be sent by the messengers
" of Landfranc, our faithful arch-
" bishop, in time convenient.
" Pray for us, and for the good
" state of our kingdom, because
" we have loved your predeces-
" sors, and do desire sincerely to
" love, and obediently to hear
" you, above all others."

It is strange on what pretence of right the pope required this fealty; was it because he lent king William a consecrated banner[p], that under the colour thereof he endeavoured to display his power over all England, as if the king must do him homage as a banneret of his creation, or because he had lately humbled Henry the Fourth, the German em-

[o] MS. codex epistolarum Lanfranci, cited by sir John Davys in his Irish Reports of *præmunire*, f. 89. [Printed also in Landfranc's Works, p. 304. ed. Dachery, 1648.]

[p] [Will. of Malmsbur. f. 56.]

A. D. 1070. 4 Gul. I.

peror, he thought that all kings in like manner must be slaves unto him, the pope being then in his vertical height, and dog-days of the heat of his power? But we need no further inquiry into the cause of his ambition, when we read him to be Gregory the Seventh, otherwise Hildebrand, that most active of all that sat in that chair. Surely he sent this his demand rather with an intent to spy than hope to speed therein, so to sound the depth of king William, whom if he found shallow, he knew how to proceed accordingly; or else he meant to leave this demand dormant in the deck, for his successors to make advantage thereof; who would claim for due whatsoever they challenged before. However, so bold an asker never met with a more bold denier. Soon did king William find his spirits, who formerly had not lost, but hid them for his private ends. England's conqueror would not be Rome's vassal, and he had brain enough to deny what the other had brow to require, and yet in such wary language, that he carried himself in a religious distance, yet politic parity with his holiness.

King William ordereth the power both of pope and archbishop in his own dominion.

8. Thirdly, king William would in no wise suffer any one in his dominion to acknowledge the bishop of Rome for apostolical without his command, or to receive the pope's letters, except first they had been shewed unto him[p]. As for the archbishop of Canterbury, primate of England, though by his own authority he might congregate councils of bishops, and sit president in them, yet the king permitted him to appoint or prohibit nothing but what was according to his own will and pleasure, and what the king had ordained before[q].

[p] Eadmerus Hist. Nov. p. 6. [q] Idem ibid.

9. Lastly, king William suffered no bishop to excommunicate any of his barons or officers for adultery, incest, or any such heinous crime, except by the king's command, first made acquainted with the same. Here the word baron is not to be taken in that restrictive sense to which the modern acception hath confined it, only for such of the higher nobility, which have place and votes in parliament, but generally for such who by **tenure en cheef**, or *in capite*, as they term it, held land immediately of the king[r]. And an English poet[s], counted the Virgil of his age, and the Ennius in ours, expresseth as much in his rhythmes, which we here set down, with all the rust thereof, without rubbing it off, (remembering how one John Throgmorton, a justicer of Cheshire in queen Elizabeth's days, for not exhibiting a judicial concord, with all the defects of the same, but supplying or filling up what was worn out of the authentical original, was fined for being over-officious[t],) and therefore take them with their faults and all, as followeth:

A. D. 1070. 4 Gul. I.

Barons not to be excommunicated without the king's command.

The berthe was that noe man that of the King huld ought
In Cheif or in eni Seruise, to Mansing were ibrought,
Bote the Wardenis of holy Chirch that brought him thereto
The King sede to his Baillifes wat he had misdoe.
And loked berst were thei wolde to amendment it bring
And bote hy wolde hy their lebe doe the Mansing.

And a grave author gives a good reason why the king must be informed before any of his barons be excommunicated, "lest otherwise," saith he, "the

[r] J. Selden Spicilegium ad Eadmerum, p. 168.

[s] Robert of Gloucester. [See Hearne's text of Robert of Gloucester, p. 472. ed. 1724, where these lines are printed somewhat differently.]

[t] Camden's Elizabeth, anno 1584. [Bishop Goodman's Memoirs, I. 118.]

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"king not being certified thereof, should out of ig-
"norance unawares, communicate with persons ex-
"communicated, when such officers of his should
"come to kiss his hand, be called to his council, or
"come to perform any personal attendance about
"him[v]." Hitherto we have seen how careful the Conqueror was in preserving his own right in church matters. We will conclude all with the syllogism which the Oracle of the common-law[w] frameth in this matter;

"It is agreed, that no man only can make any
"appropriation of any church, having cure of
"souls, being a thing ecclesiastical, and to be
"made to some person ecclesiastical, but he
"that hath ecclesiastical jurisdiction.

"But William the First of himself, without any
"other, (as king of England,) made appro-
"priation of churches, with cure to ecclesiastical
"persons, (as by many instances may appear.)

"Wherefore it followeth that he had ecclesiastical
"jurisdiction."

And so much concerning king William's policy in doing justice to his own power. Proceed we now to his bounty, confirming old, and conferring new favours upon the church and clergy.

Bishops' jurisdictions first severed from the sheriffs.

10. First, whereas before his time the sheriff and bishop jointly kept their courts together, especially at the two solemn times about Easter and Michaelmas, king William, in favour of the clergy, assigned the bishops an entire jurisdiction by themselves, wherein they should have cognizance of all causes

[v] Radulphus de Diceto, in anno 1163. p. 536.

[w] Lord Coke's Reports, fifth part; de Jure Regis Ecclesiastico, f. 10.

relating to religion[x]. I say relating to religion, a latitude of a cheverel extension, adequate almost to the mind of him that will stretch it out, and few ecclesiastical judges would lose what might be got by measuring. Now formerly, whilst the power of sheriff and bishop went hand in hand together in the same court, neither could much outstrip other: but since they were severed, the spiritual power far outwent its old mate, improving his own by impairing the secular courts; and henceforward the canon law took the firmer footing in England: date we from hence the squint-eyes of the clergy, whose sight, single before, was hereafter divided with double looks betwixt two objects at once; the pope and the king, to put him first whom they eyed most, acting hereafter more by foreign than domestic interest. A.D. 1070. 4 Gul. I.

11. A learned pen makes a just complaint, that "courts which should distribute peace, do themselves "practice duels, whilst it is counted the part of a "resolute judge to enlarge the privilege of his "court[y]." A grievance most visible in contest betwixt the common and the canon law; which, as if they were stars of so different an horizon that the elevation of the one necessitated the depression of the other, lie at catch, and wait advantages one against another. So that, whilst both might continue in a convenient and healthful habitude, if such envious corrivality were deposed, now alternately those courts swell to a tympany, or waste to a con- The contest betwixt common and canon law, how only to be reconciled.

[x] See this cleared by Mr. Selden in his notes on Eadmerus, p. 167.

[y] Lord Bacon in his Advancement of Learning, Aphorism 96. p. 463. [Translation by Wats, 1640.]

A.D. 1070. 4 Gul. I.

sumption, as their judges find themselves more or less strengthened with power, or befriended with favour. A mischief not to be remedied, till, either that mutual consent, or a predominant power to both, impartially state their jurisdictions, rightly setting down the landmarks thereof, and binding their proceedings not to exceed their bounds, which would both advance learning, and expedite the execution of justice.

King William his charter to the clergy.

12. To return to king William: as he conferred power on, so he confirmed profit to the clergy. Witness his charter, granting them throughout England, tithes of calves, colts, lambs, milk, butter, cheese, woods, meadows, mills, &c.[z] Which charter is concluded, ('tis the strong hem keeps all the cloth from ravelling out,) *Qui* [*decimam*] *detinuerit, per justitiam episcopi, et regis, si necesse fuerit, ad redditionem arguatur*[zz]: "Who shall detain his tithes, "by the power of the bishop and king (if need be) "let him be argued into the payment thereof." And kings' arguments we know are unanswerable, as *ab authoritate*, carrying power and penalties with them. This charter might seem to give the tenth loaf of all the bread in the land into the hands of the English clergy. But the municipal laws, which were afterwards made, did so chip and pare this loaf, with their *modus decimandi*, that in many places, vicarages especially, a small shiver of bread falls to the share of the minister, not enough for his necessary maintenance.

[z] See it at large in Mr. Selden of Tithes, c. 8. p. 225. [A law of Edward the Confessor, and so quoted by Selden, but confirmed by the Conqueror. See Hoveden, f. 343.]

[zz] Others read it *adigatur*, "let him be compelled."

13. And here, to make a short, but needful digression, I find in eminent writers two contrary characters of king William. Some make him an arrant tyrant, ruling only by the *magna charta* of his own will, oppressing all English without cause or measure. No author need to be alleged for the avouching thereof, the thing being author for itself, being so notoriously known, and generally believed. Others make him to quit his title by conquest, and hold the crown, partly by bequest from king Edward the Confessor, whose good laws he is said to confirm, (*leges boni regis Edvardi quas Gulielmus bastardus postea confirmavit,*)[a] and partly by compact with his people. Yea, the chronicles of Lichfield make him to call a parliament in effect; I mean, a meeting of his clergy and nobility in a great council; where, as if he had turned perfect Englishman, he conformed his practice to their ancient constitutions.

A. D. 1070. 4 Gul. I.

Two contrary characters of king William.

14. Should I interpose between these opposite parties to reconcile them, probably the blows from both sides would fall heavy on my charitable indiscretion. Yet thus far I will be bold to say, such confirmation of king Edward's law (if made by king William) probably was rather oral and verbal, than real and effectual. But if real, certainly it was not general, but limited to some particular place, as the province of Kent, the English land of Goshen, which alone enjoyed the light of liberty, though rather gotten by them than given unto them. But if any will contend that this confirmation was general, they must confess it done in the latter end of his reign. King William when young loved honour; when old,

Our endeavours to compass the difference.

[a] See Mr. Selden, ut supra, [p. 224.]

A.D. 1070. 4 Gul. I.

ease: when young, to conquer; when old, to enjoy. Age will make all to stoop, as here it bowed him to a better compliance with his people. However, this his confirmation of king Edward's laws was not such as either gave general content to, or begat assured confidence in the English: perchance because but a personal act, and but partially done, and no whit obligatory of his posterity. This made the English press so importunely (though in vain) to William Rufus, the king's son and successor, for a reconfirmation of king Edward's laws, which had been needless (as being the same with *actum agere*, or rather *datum petere*) had the former grant from king William his father been conceived sufficient for their security.

King William his bounty to Battel-abbey.

15. As for king William's particular bounty to Battel Abbey in Sussex, which he founded, it bare better proportion to the dignity of the giver, than to the deserts of the receivers. For, besides those privileges formerly mentioned[b], he gave it all the land within a league of the site thereof. He ordered that no foreigner should be obtruded on their abbey, but in every vacancy one of their own convent should be elected abbot thereof; except (which heavens forbid) no fit person should be found therein for that preferment. Nor should the abbot be forced to appear at any synod or meeting, except pleased of himself so to do. These and many more immunities he confirmed to that foundation, in such an imperious style, as if therewith he meant to bluster all future

[b] In the first paragraph of this book. [See the foundation charter in Selden's Appendix to his edition of Eadmer; and in Rymer's Fœd. I. 4. The fullest information upon all these subjects will be found in the Monasticon.]

princes (and king Henry the Eighth among the rest) into a perfect obedience unto his commands. Especially with that clause in his charter, *Nullus successorum meorum violare præsumat.* But dead kings' charters, though they have tongues to threaten, yet have no teeth to bite, especially when meeting with an equal after-power to rescind them. A.D. 1070. 4 Gul. I.

16. The more the pity, that such drones, lazy abbey-lubbers, went away with the honey, whilst the industrious bees were almost starved. I mean, the scholars of Oxford. For, at the coming in of the Conqueror, the students in University college (formerly founded by king Alfred) were maintained by pensions, yearly paid them out of the king's exchequer: which provision was then conceived both most honourable, as immediately depending on the crown, and less troublesome, issuing out in ready coin, free from vexatious suits, casualties of tenants, and other encumbrances. But now king William, who loved that the tide of wealth should flow into, but not ebb out of his coffers, detained and denied their exhibitions[c]. Yea, the king picked a quarrel with them because they sought to preserve and propagate the English tongue, which the king designed to suppress, and to reduce all to the French language. And yet the French speech was so far from final prevailing in this kingdom, that it was fain at last to come to a composition with the English tongue, mixed together, as they remain at this day. Save that in terms in law, venery and blazon, the French seemeth solely to command. The scholars, thus deprived of their pensions, lived on the charity His hard dealing with the students at Oxford.

[c] Ex monumentis collegii Universitatis. [Quoted by Twyne, as below.]

A.D. 1070. 4 Gul. I.

of such as loved the continuance of their native tongue[d]. Their Latin was then maintained by their English: though surely it was no small disturbance to their studies merely to depend for their subsistence on the arbitrary alms of others.

A.D. 1071. Landfranc most kindly treated by the pope.

17. Pass we now from king William unto Landfranc archbishop of Canterbury, next the king, then the most considerable person in our ecclesiastical history. To Rome he went with Thomas, elect of York, and Remigius of Lincoln, all three for confirmation from the pope in their preferment. Pope Alexander treated Landfranc so civilly, that a stranger, if beholding the passages betwixt them, haply might have mistook Landfranc for the pope, and the pope for the petitioner. His highness honoured him as his master, *cujus studio sumus in illis quæ scimus imbuti;* "by whose care," said he, "we "have been instructed in those things whereof we "have knowledge[e]."

His charge against Thomas, elect of York.

18. Then Landfranc charged Thomas in the presence of the pope, as canonically uncapable of that archbishopric, because the son of a priest. And yet by Landfranc's leave, no canon can be produced then in force, to debar priests' sons from preferment, though some few years after in the council of Clermont such a prohibition was made. And therefore Eadmerus, speaking of Landfranc, *calumniatus est coram papa Thomam*, in the proper acception of his words, speaks more truth than he was aware of, or probably did intend[f]. But Landfranc, being a *pri-*

[d] Br. Twyne in Antiq. Academ. Oxon. p. 215.

[e] [Eadmer, H. N. p. 6.]

[f] Novorum p. 7. [Whether any such canon as that alleged by Landfranc can be produced till the time of the council of Clermont, which was held in

vado to the pope's projects, and as well to the intentions as the actions of the church of Rome, might by a prolepsis antedate this objection against Thomas, using it for the present as a rub to retard him, which some years after was constituted a legal obstacle to exclude any priest's son from promotion. But even when that canon some years after was made, the pope was not so cruel as thereby fully and finally to exclude all priests' sons from church dignity, but only to shut them out for a time, that they might stand at the door and knock, (I mean with the chink of their money,) and at last be let in when they had paid dear for a dispensation. A.D. 1071. 6 Gul. I.

19. Landfranc likewise charged Remigius, elect of Lincoln, as irregular, because guilty of simony. Yet he did not tax him with a penny of money, either paid or contracted for, only charged him that *officio emerat*[g], by service-simony he had purchased the place of king William; so that his officiousness to comply with the king's pleasure had made him injurious and vexatious unto the people. Here all things were referred to Landfranc's own arbitration; whom the pope, of an accuser made a judge, so far as either to admit or exclude the aforesaid prelates; affirming, that if "any unworthiness crept into English preferment, be it charged on Landfranc his account, "whom he made sole judge of men's merits to any "promotion." And against Remigius, elect of Lincoln.

20. But all is well that ends well; and so did this contest. Landfranc, having first given them a taste of his power, did afterwards give them a cast of his Landfranc his return and employment.

the year 1095, is uncertain. See Selden's notes upon Eadmer, p. 195. See also Malmsbur. De Gestis Pontif. f. 117.]

[g] Eadmerus, ibid.

A.D. 1071. 6 Gul. I.

pity, and favourably accepted them both into their places. Hence they all post homewards, where we leave Landfranc safely arrived, and soundly employed in variety of business.

1. In asserting the superiority of his see above York.

2. In defending his tenants, in what diocese soever, from the visitations of their respective bishops, which gave the first original to peculiars.

3. In repairing his church of Canterbury, lately much defaced with fire.

4. In casting out secular priests and substituting monks in their room[h].

5. Lastly, in recovering lands long detained from his see.

Nor was he affrighted with the height and greatness of Odo bishop of Bayeux, though half-brother to king William, and earl of Kent, but wrestled a fair fall with him in a legal trial, and cast him flat on his back, regaining many lordships which Odo had most unjustly invaded[i]. Such as desire more of

[h] [According to Eadmer (H. N. p. 10.), and Malmsbury (De Gest. Pontif. f. 122.) Walchelinus, bishop of Winton, with the concurrence of the king and the nobles of the realm, would have restored the regular clergy, and had indeed reinstated forty of them in his diocese; but Landfranc, supported by pope Alexander, most violently and most unjustly expelled them, and obtained from the pope an edict in his favour (printed in Eadmer, p. 11.) It is justly observed by Fuller, that the ambitious projects of the Roman pontifs gained greater strength in the time of William I., than in any previous periods.

It was provided by the council of Winchester, held in the year 1076, that priests who were married should not be compelled to put away their wives; but that those who were unmarried should be interdicted from marrying, and that no one should hereafter be admitted to holy orders without a previous profession, before his bishop, that he was not married. Wilkins' Conc. I. 367.]

[i] [Eadmer, H. N. p. 9. Wilkins' Concil. I. 323.]

Landfranc his character, let them consult Eadmerus a monk of Canterbury, and therefore prodigal in Landfranc's praise, an archbishop of Canterbury, and great promoter of monastical life[k]. Indeed there was a design, driven on by Walkeline bishop of Winchester, who had privately wrought the king to abet it, to reinduce secular priests into monks' places; till Landfranc, getting notice, defeated the plot; procuring that all such monks, whom he had first fastened in their convents, were afterwards rivetted therein by papal authority[l]. A. D. 1071. 6 Gul. I.

21. About this time a constitution was made, that bishops should remove their sees from petty towns to populous places. This reason being rendered for their removal, *Ne vilesceret episcopalis dignitas*, by their long living in so little villages. Such bishops' churches could not properly be called cathedrals, who sat not upon chairs, but low stools, so inconsiderably small were some places of their residences. A fair candlestick, advantageously set, in some sense may be said to give light to the candle itself; and episcopal lustre will be the brighter, if placed in eminent cities. Besides, bishops having now gotten canon law, and distinct courts by themselves, much people repaired unto their consistories, which conveniently could not be accommodated in little villages, A. D. 1075. Bishops' sees removed from villages to cities.

[k] [See also an admirable description of his character by Malmsb. De Gest. Pontif. f. 116, and the Saxon Chron. an. 1070. sq. He was far superior in literary qualifications to any of his predecessors, and one of the best scholars of his time, as he shewed in his controversy with the celebrated Berengarius. At the same time he was exceedingly severe and tyrannical, on one occasion proceeding even to the infliction of corporal punishment upon some monks who opposed his proceedings. See the remarkable narrative in the Saxon Chronicle, ib.]

[l] [Eadmer, H. N. p. 10.]

A.D. 1075. 10 Gul. I. but required bigger places for their better entertainment. In order to this command, the bishop of Dorchester near Oxford removed to Lincoln[m]; as somewhat before, Selsey was translated to Chichester, and Sherborne to Salisbury; and, not long after, Thetford to Norwich. Now as these cities to which they removed, being great before, grew greater afterwards, so those places which they left, Dorchester (and Selsey especially) decayed to contemptible villages; it faring with places as with persons, the rich grow richer still, and the meaner are daily diminished.

Wolstan's simplicity saveth his bishopric.

22. As these bishops accounted themselves well busied in removing their bishoprics, so some, I am sure, were ill employed in endeavouring to remove a good bishop, I mean Wolstan, from his church of Worcester. As the poets feign of Janus, that he had two faces, because living before and after the flood, so this Wolstan may be charactered accordingly, made bishop before, but continuing his place long after the Norman inundation. But in what sense soever he may be said to have two faces, he had but one heart, and that a single and sincere one to God, and all goodness; yet his adversaries heaved at him to cast him out of his bishopric, because an Englishman of the old stamp; but he sat safe, right-poised therein, with his own gravity and integrity. And, being urged to resign his staff and ring, ensigns of his episcopacy, he refused to surrender them to

[m] [William of Malmsbury, who has given an abstract of the proceedings of this council, omits all notice of the translation of the see of Dorchester to Lincoln, and in place of it, mentions the translation of Lichfield to Chester. De Gestis Pont. f. (117.) With Malmsbury the other copies of this council agree. See Wilkins' Concil. I. 363.

any man alive, but willingly offered them up at the tomb of Edward the Confessor, from whom he received them. This his gratitude to his dead patron, and candid simplicity in neglecting the pomp of his place, procured him much favour, and occasioned his peaceable confirmation in his bishopric[n]. A.D. 1075. 10 Gul. I.

23. At this time several liturgies were used in England, which caused confusion, and much dis- The original of *secundum usum Sarum.*

[n] [Ailredus Rievall. p. 405. ed. Twysden.

Thomas archbishop of York laid claim to the see of Worcester, which had sometimes been held in commendam by other archbishops of York. According to Malmsbury, another pretext for removing Wulstan was his want of learning. De Gestis, f. 66, b. Ang. Sac. II. 255.

The same writer mentions an anecdote relating to this contention, which shews the simplicity of Wulstan's character. The king and the archbishop were not inclined to favour him, and his opponent Thomas the archbishop, a Norman of considerable learning and ability, was busily employed in preparing his cause. Wulstan having retired for his defence, said to his clerks: "We have not yet "chaunted The Ninth Hour; "let us begin it then." His clerks replied; "That there "was sufficient time for it "hereafter, and that he should "rather attend to the business "in hand; for if the king and "his nobles should hear them, "they would only turn them "into ridicule." The venerable prelate replied; "Let us first "do the service of God, and "afterwards attend to the liti- "gations of men. Know ye "not that the Lord hath said; "*When ye shall be brought be- "fore governors and kings, "take no thought how or what "ye shall speak, for it shall "be given you in that same hour "what ye shall speak.*" Having performed this service of the church, he went into court, and defended himself with so much simplicity and honesty, that he gained his cause, and the favour of the king ever after. This anecdote Malmsbury heard from a contemporary. See Will. Malmsb. de Vita Wulstani in the Ang. Sacr. II. p. 241. For this biography Malmsbury was much indebted to Colman a monk, afterwards prior of Westbury, who died in 1113. He composed a life of Wulstan in Anglo-Saxon, for which he was well qualified, having been a disciple of Wulstan, and his chaplain for fifteen years. Another authority was Hamming, sub-prior of Worcester, Wulstan's friend and contemporary.]

A.D. 1083. 18 Gul. I.

turbed men's devotions. Yea, which was worse, a brawl, yea, a battle happened betwixt the English monks of Glassenbury and Thurstan, their Norman abbot in their very church obtruding a service upon them which they disliked. Unfit persons to fight, being by their profession men of peace, and unfitter the place for a quarrel. *Have ye not houses to eat and drink in?* saith St. Paul to the Corinthians, *or despise ye the church of God*[o]*?* Was there no other room in their convent for them to fall out and fight in, but their church alone? Here was an holy war indeed, when church forms, candlesticks, and crucifixes were used for shields by the monks against the abbot's armed men, brought in against them. Nor was holy water only, but much blood spilled in the place; eight monks being wounded, and two slain (or if you will) sacrificed near the steps of the high altar[p]. But this accident, ill in itself, was then con-

[o] 1 Cor. xi. 22.

[p] Eulogium an ancient and authentic Chronicle, cited by Mr. Fox, vol. I. p. 238. [Will. of Malmsb. f. 62. Fox in his Martyrology has given an exact account of this quarrel. "[This] "Thurstanus the said William "[the Conqueror] had brought "out of Normandy from the "abbey of Cadomum [Caen], "and placed him abbot of "Glastenbury. The cause of "this contentious battle was "for that Thurstanus con- "temning their quire service, "then called the use of S. "Gregory, compelled his monks "to the use of one William a "monk of Fiscam in Norman- "dy. Whereupon came strife "and contentions amongst "them, first in words, then "from words to blows, after "blows then to armour, &c."

For his authority he places in the margin, "Ex Eulogio "Historico, lib. 3." but the above passage is also a literal version of Florentius Wigorn. third book, a. 1083. (for so it is divided in the MS. in Corpus Christi College, Oxford), and differs nothing from Florence except in the passage which Fox rightly says, "sa- "voureth of some monkish "addition besides the text." Florence of Worcester says, two monks were killed and fourteen wounded; but the Saxon Chron. and Mat. Paris, three killed and eighteen wounded; and probably the

ceived good in the event thereof, because occasioning a settlement and uniformity of liturgy all over England. For hereupon Osmund, bishop of Salisbury, devised that ordinary or form of service which hereafter was observed in the whole realm: his church's practice being a precedent, and the devotion therein a direction to all others. Henceforward the most ignorant parish priest in England, though having no more Latin in all his treasury, yet understood the meaning of, *secundum usum Sarum*, that all service must be ordered, "according to the course and "custom of Salisbury church[pp]." A. D. 1083. 18 Gul. I.

24. I find no Jews in England (no deviation, I hope, from church history to touch at the synagogue) before the reign of the Conqueror, who brought many from Roan in Normandy, and settled them in London, Norwich, Cambridge, Northampton, &c.[q] The first coming of the Jews into England.

eight in the text is only a misprint for eighteen. The latter writer also refers this quarrel to the year 1079. The abbot was deposed and banished.

This however was not a single instance, as might have been expected. Most of the Norman abbots had been thrust upon the monasteries, as a reward for their services, without any regard being paid to the rights of the existing abbots; and being generally of warlike habits, they frequently fell to fighting with their monks. Thus Thorald, a monk of Fescamp, was intruded upon the abbey of Malmsbury, though Brightric the abbot was still alive. But as he was continually engaged in squabbling with the monks, William transferred him to the abbey of Borough, which was indeed very rich, but continually infested by a band of marauders, headed by the famous Hereward the Saxon; a very troublesome foe to the Conqueror; William adding these words on the occasion: "By the splendor of God," he says, "because he shews him-"self more of a soldier than "an abbot, I'll find his match "for him. Let him go there "and try his military prowess, "and find sport in fighting as "long as he pleases." Vita Aldhelmi, p. 372. Compare Sax. Chron. a. 1070.]

[pp] [See Bromton's Chron. p. 977, 1.]

[q] Stow's Survey of London, [p. 288.]

A. D. 1083. 18 Gul. I. In what capacity these Jews came over I find not; perchance as plunderers, to buy such oppressed Englishmen's goods which Christians would not meddle with. Sufficeth it us to know, that an invasion by conquest (such as king William then made) is like an inn entertaining all adventurers; and it may be these Jewish bankers assisted the Conqueror with their coin. These Jews, though forbidden to buy land in England, grew rich by usury, their consciences being so wide, that they were none at all; so that in the barest pasture, in which a Christian would starve, a Jew would grow fat, he bites so close unto the ground. *And ever bow down their backs*, is part of God's curse upon the Jews. And crook-backed men, as they eye the earth, the centre of wealth, so they quickly see what straight persons pass by, and easily stoop to take up what they find thereon; and therefore no wonder if the Jewish nation, whose souls are bowed down with covetousness, quickly wax wealthy therewith. King William favoured them very much; and Rufus his son much more; especially if that speech reported of him be true, that he should swear by St. Luke's face, his common oath, "if the Jews could overcome the "Christians, he himself would become one of their "sect[r]."

[r] Stow's Survey of London, p. 288. [From Malmsb. De Gestis, f. 69, b. Eadmer accuses Rufus of obliging converted Jews to renounce Christianity and return to Judaism; but this statement is probably founded on report, and is in itself incredible. Selden has much praised the narrative of this writer, who is on the whole judicious and exact. But as he was the constant companion of Anselm, and attended that prelate in his absence from England, whatever he has related of Rufus, at the least of the latter years of that prince's life, must be considered as resting on hearsay.]

25. Now was the time come of king William's death, ending his days in Normandy. But see the unhappiness of all human felicity; for his breath and his servants forsook him both together; the latter leaving him, as if his body should bury itself. How many hundreds held land of him in knights' service! whereas now, neither knight nor esquire to attend him. At last, with much ado, his corpse are brought in mean manner to be interred in Caen. As they were prepared for the earth, a private person forbids the burial till satisfaction was made unto him, because the king had violently taken from him that ground on which that church was erected. Doth not Solomon say true, *A living dog is better than a dead lion*, when such a little cur durst snarl at the corpse of a king and a conqueror? At last the monks of Caen made a composition, and the body was buried[s]. And as it was long before this king's corpse could get peaceable possession of a grave, so since, by a firm ejection, he hath been outed of the same. When French soldiers, *anno Domini* 1562, amongst whom some English were mingled, when Chastillion conducting the remnant of those which escaped in the battle of Dreux, took the city of Caen, in his way (out of pretence forsooth to seek for some trea-

A. D. 1087. 21 Gul. I.

The death of king William, with the difficulty of his burial.

[s] [Flor. Wigorn. a. 1087. Malmsb. f. 63. "Corpus defunctum Cadomum per Sequanam delatum magno prælatorum frequentia traditur sepulturæ." Mat. Paris. an. 1087. p. 14. Robert, the Conqueror's eldest son, was engaged in preparation for a war against his father, in France. Rufus, before his father expired, crossed over into England;—to use the dry, sarcastic language of the chronicler just quoted—"utiliorem sibi eam profectionem fore ducens in posterum, quam paternis exsequiis interesse." Henry was the only son present at the funeral, who paid the soldier to whom the land belonged, where his father was interred, a hundred pounds, to protect the corpse from insult. Will. of Malmsbur. f. 63, b.]

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sure supposed to be hid in his tomb) most barbarously and cowardly brake up his coffin, and cast his bones out of the same[t].

The three sons of the Conqueror, how denominated.

26. William the Conqueror left three sons, Robert, William, and Henry: and, because hereditary surnames were not yet fixed in families, they were thus denominated and distinguished:

i. The eldest from his goods of fortune, to which clothes are reduced, Robert Curthose, from the short hose he wore, not only for fancy, but sometimes for need, cutting his coat according to his cloth: his means, all his life long, being scant and necessitous.

ii. The second, from the goods of his body, viz. a ruddy complexion, William Rufus, or Red. But, whether a lovely and amiable, or ireful and choleric red, the reader on perusal of his life is best able to decide.

iii. The third, from the goods of his mind, and his rich abilities of learning, Henry Beauclerk, or, the good scholar[u].

The middlemost of these, William Rufus, presuming on his brother Robert's absence in Normandy, and pretending his father got the crown by conquest, which by will he bequeathed unto him, (his eldest brother being then under a cloud of his father's displeasure,) adventured to possess himself of the kingdom[v].

[t] Stow's Chron. [p. 127.]

[u] [He had another son named Richard, born after Robert, a youth of great promise, who met his death hunting in the New Forest. Flor. Wigorn. a. 1160. Ordericus Vitalis, p. 573. Malmsb. f. 63, b. Mr. Stevenson has printed from MSS. *an epitaph on* this prince, written by Selro, a contemporary. Scala Chronica, notes, p. 214.]

[v] [M. Paris, a. 1086. p. 12. Gul. Neubrig. I. 2. According to William of Newbury the succession undoubtedly pertained of right to Robert; who was, however, according to the same testimony, incompetent to the task of governing

27. On the twenty-sixth of September, Landfranc archbishop of Canterbury, with good Wolstan, bishop of Worcester, assisting him, crowned Rufus king of England, though but his father's second son[w]. And indeed the known policy of the former, and the reputed piety of the latter, were the best supporters of his title. Jacob, we know, acted with a prophetical spirit, *guiding his hands wittingly*[x], laid his right on Ephraim the younger, and his left on Manasseh the elder brother: but what warrant these bishops had to invert and transpose nature's method, by preferring the younger brother before the elder, was best known to themselves. Under Landfranc he had his education, who "made him a knight[y]," though it had been more proper for his tutor's profession, yea, and more for his credit, and his pupil's profit, if he (as the instrument) had made him a good Christian.

A. D. 1087. 1 Rufus. King William Rufus crowned.

28. He began very bountifully, but on another man's cost; not as a donor, but a dealer thereof, and executor of his father's will. To some churches he gave ten mark, to others six, to every country village five shillings, besides an hundred pound to every

His covetousness and inconstancy.

a large kingdom. De Rebus Angl. I. 3. Rufus was the favourite of his parents (Malms. De Pontif. f. 123, b.), was brought up by them with great care and attention, giving at a very early age tokens of great ability. He would without doubt have been the most incomparable prince of his time, had he not been eclipsed by his father's greatness; shewing the greatest anxiety to outstrip all his rivals in military exercises; careful in his obedience to his father, to whom he was attentive on all occasions; as anxious in war to draw his father's eyes upon him by feats of arms, as he was his constant companion in peace. Malmsb. De Gestis, f. 67. b. His character is admirably drawn by this Chronicler; and may be trusted, as he was not prejudiced in favour of the Normans.]

[w] [Flor. Wig. a. 1087.]

[x] Gen. xlviii. 14.

[y] Mat. Paris, a. 1087. p. 14. Malmsb. De Gestis, f. 67. b.]

A. D. 1087. 1 Rufus.

county, to be distributed among the poor[z]. But afterward he proved most parsimonious, though no man more prodigal of never-performed promises. Indeed Rehoboam, though simple, was honest, speaking to his subjects, though foolishly, yet truly according to his intent, that *his finger should be heavier than his father's loins*[a]: whereas Rufus was false in his proceedings, who, on the imminence of any danger or distress, (principally to secure himself against the claim of his brother Robert,) instantly to oblige the English, promised them the releasing of their taxes, and the restoring of the English laws; but, on the sinking of the present danger, his performance sunk accordingly; no letter of the English laws restored, or more mention thereof, till the returning of the like state-storm occasioned the reviving of his promise; and alternately the clearing up of the one deaded the performance of the other[b].

A. D. 1089. His enriching himself by church livings.

29. This year died Landfranc archbishop of Canterbury; after whose death the king seized the profits of that see into his own hand, and kept the church vacant for some years; knowing the emptiness of bishoprics caused the fulness of his coffers. Thus archbishop Rufus, bishop Rufus, abbot Rufus, for so he may be called, as well as king Rufus; keeping at the same time the archbishopric of Canterbury, the bishoprics of Winchester and Durham, and thirteen abbeys in his hand, brought a mass of money into his exchequer. All places which he parted with was upon present payment. Simon Magus with his hands full of money, would carry any thing from

[z] Chronicon Johannis Bromton, p. 983. [Malmsb. f. 63. b. M. Paris. a. 1087. p. 14. Flor. Wig. a. 1087.]

[a] 1 Kings xii. 11.

[b] Malmsb. De Gestis, f. 68.

Simon Peter, with his *silver and gold have I none*[c]. Yea, John bishop of Wells could not remove his seat to Bath, *nisi albo unguento manibus regis delibatis*[d], "unless he had moistened the king's hands "with white ointment;" though a less proportion, of a yellow colour, would have been more sovereign to the same use. And picking a quarrel with Remigius bishop of Lincoln about the founding of his cathedral, he forced him to buy his peace at the price of a thousand marks[e]. A. D. 1089. 2 Rufus.

30. But in the midst of his mirth, king Rufus, coming to Gloucester, fell desperately sick, and began to bethink himself of his ill-led life[f]. As all aches and wounds prick and pain most the nearer it draweth to night, so a guilty conscience is most active to torment men the nearer they conceive themselves approaching to their death. Hereupon he resolveth to restore all ill-gotten goods, release all A. D. 1093. His sickness and resolution of amendment.

[c] Acts viii. 18. iii. 6.

[d] M. Paris, p. 17. [See the confirmation by Henry I. of this transfer, in Rymer I. 8. dated, 1111.]

[e] [Durham was vacated in the year 1088, by William de Carilepho, who being guilty of treason, as it was alleged, was permitted to withdraw into Normandy. Mat. Paris. an. 1088. Landfranc died on the 24th of March 1089. For an account of his life, learning, and munificence, see Mat. Paris, an. 1089, and the collective edition of his works and letters by Du Chesne, Paris, 1646, reprinted in the Bibliotheca Patrum, Lugd. tom. xviii. p. 621. The see of Canterbury was not again filled up till the year 1092, when it was conferred upon Anselm (Mat. Paris, an. 1092.), and the same year Robert Blois, chancellor, was promoted to the see of Lincoln, vacant the year before by the death of Remigius. This prelate gave the king 500*l.* to secure the freedom of his church, which Thomas, the archbishop of York, had laid claim to, as having been built in his diocese. See Mat. Paris, an. 1085, 1091, 1092. But the king was grieved above measure, says this caustic chronicler, when he had recovered from his sickness, that he had given and not sold the bishopric.]

[f] [M. Paris, a. 1092. p. 17. Malm. De Pontif. f. 124.]

A.D. 1093. 6 Rufus.

persons unjustly imprisoned, and supply all empty places with able pastors. In pursuance hereof he made Anselm, (the abbot of Beck in Normandy,) one of eminent learning, and holiness of life, archbishop of Canterbury[g]; which place he was hardly persuaded, with much importunity, to accept. The first eminent act of his archiepiscopal office which we find was, when preaching at the court on Ash-Wednesday, he denied ashes and absolution to all those courtiers who affected effeminateness in their behaviour[h]; especially in wearing their hair long, and combed like women. A sin, no doubt; for whereas Tertullian calls the length of women's hair, *sarcinam suæ humilitatis*, the same in men (so promiscuously worn) may be called, *sarcina suæ superbiæ*.

Anselm's expression questioned.

31. There passeth a memorable expression of Anselm's, cried up and commended by some for a masterpiece of devotion, namely, "that he had rather

g [The grant is in Rymer, I. 5. Like his predecessor Landfranc, Anselm was an Italian: one of the best scholars and authors of his time; and, what was somewhat unusual in those times, was chiefly indebted to his mother for his education (Joan. Sarisbur. p. 155.). See an account of him in Orderic. Vitalis, p. 531. Will. of Malmsb. de Pontif. f. 123. More complete narratives of this eminent prelate will be found in his life composed by Eadmer, his familiar friend and constant companion, (and published in the collective edition of Anselm's works, by Gerberon, Paris, 1675.) and by John of Salisbury in Wharton's Ang. Sac. II. 149. Nothing can exceed the piety of Anselm's devotional works.]

h Eadmerus, H. N. p. 23. [Malmsbury observes the same of Wulstan, the primitive bishop of Worcester; who used with his own hands to poll the heads of those who would submit to it. For which purpose he kept a little knife, which also served him for trimming his nails or cleaning his books. Those who would not submit to the operation he lectured for their effeminacy, and openly threatened them with God's judgment. Vita Wulstani in Ang. Sac. II. 254.

In another place this chronicler complains bitterly of the corruption and effeminacy of the times. De Gestis, f. 69. b.]

" be in hell without sin, than in heaven with sin[i];" which others condemn as an unsavoury speech, " not " according to scripture phrase, as from one not suf- " ficiently acquainted with the justification of a " Christian man[j]." Indeed, some high-flown expressions often knock at the door of blasphemy, but yet not with any intention to enter in thereat; in which we are more to mind the sense than the sound of the words. Amongst those may this of Anselm's be ranked, uttered no doubt in a zealous detestation of sin; yea, which charitably may be defended in the very letter thereof. For Adam, we know, was some while in paradise (heaven's suburbs) after the eating of the forbidden fruit[k], yet was sensible of no pleasure therein, which made him hide himself, as prosecuted by his guilty conscience: and some of the ancients conceive that Christ went locally to hell, yet no pain did seize on him there, seeing sorrow can arrest none but at the suit of sin going before.

A.D. 1093. 6 Rufus.

32. But, to leave Anselm's words, let us come to his deeds: who was scarce warm in his archbishopric, when the king sent to him for a thousand pound; which sum, being so small in itself, (Rufus usually demanding more of less bishoprics,) and that after his entrance on his see, free from any precontract, might have passed without the suspicion of simony, under the notion of a mere gratuity[l]. However, Anselm refused to pay it, because he would

Anselm refuseth to send king Rufus 1000*l.*

[i] [Joan. Sarisbur. vit. Anselmi, p. 157.]

[j] Fox, Acts and Mon. I. p. 240.

[k] Gen. iii.

[l] [Mat. Paris, an. 1094. Joan. Sarisbur. ib. p. 163. The first cause of their quarrel was the refusal of Anselm to confirm to the king certain lands belonging to the see of Canterbury, which the king had alienated.]

A.D. 1093. 6 Rufus. avoid the appearance of evil. Others say[m], that he freely sent the king five hundred pounds, with this compliment; that though it was the first, it should not be the last he would present to his majesty: which the king in choler refused, because short to the sum he expected. Indeed, Rufus only retained this of all his archiepiscopal education, (being bred under Landfranc, as is aforesaid,) that thereby he experimentally knew the sweetness of church preferments; and in his bargain and sale set a rate upon them accordingly, being after his recovery from his sickness far more sordid and sacrilegious than before.

A.D. 1094. Herbert bishop of Thetford, his simoniacal flattery. 33. Amongst the many simoniacal prelates that swarmed in the land, Herbert bishop of Thetford must not be forgotten; nicknamed (or surnamed shall I say?) *Losing*, that is, *the Flatterer;* our old English word *leasing* for *lying* retains some affinity thereunto, and at this day we call an insinuating fellow *a glozing companion.* Though the best persuasiveness of his flattery consisted in downright arguments of gold and silver. For, guilty of the hereditary sin of simony, his father having formerly bought the abbey of Ramsey, he purchased the bishopric of Thetford of the king. But afterward he posted to Rome, confessed his fault, and was absolved from the guilt thereof. Thus, as the leprosy of Naaman was washed away in Jordan, so that *his flesh came again as the flesh of a little child, and he was clean*[n], so this bishop was persuaded that all his simoniacal corruption was cleansed in this his holy pilgrimage, conceiving him-

[m] Eadmerus, H. N. p. 21. [This sum was not for his bishopric, but sent subsequently on occasion of the king's purchasing the dukedom of Normandy. Malm. de Pont. f. 125. Mat. Paris, ibid.]

[n] 2 Kings v. 14.

self henceforward to begin on a new account of integrity, especially having, after his return, removed his episcopal seat from Thetford to Norwich[o], where he first founded the cathedral. A.D. 1094. 7 Rufus.

34. Wolstan, the venerable bishop of Worcester, left this life. A bishop of the old edition, unacquainted with Landfranc's Italian additions; not faulty in his conversation, but country, because an Englishman born. It was laid to his charge that he could not speak French, (no essential quality in a bishop, as St. Paul describes him[p],) sure I am he could speak the language of Canaan, humble, holy, heavenly discourse. A mortified man much macerating his body with fasting and watching, if not overacting his part, and somewhat guilty of will-worship therein[q]. A.D. 1095. Wolstan bishop of Worcester dieth.

35. About this time began the holy war, which here we will not repeat, having formerly made an entire work thereof. Robert duke of Normandy, to fit himself for that voyage, sold his dukedom to king William Rufus for ten thousand mark, say some; for six thousand six hundred sixty-six pounds, that is, one mark less, say others; haply abating the odd mark, to make up the rotundity of so sacred and mystical a number. To pay this money, king Rufus laid a general and grievous tax over all the realm, extorting it with such severity, that the monks were fain to sell the church plate and very chalices for discharging thereof[r]. Wonder not that the whole Duke Robert prepares for the holy war.

[o] [April 13th, 1094. Mat. Paris, an. 1094.]

[p] 1 Tim. iii. 2, &c. Tit. i. 6, &c.

[q] [Mat. Paris, an. 1095.]

[r] [The words of Eadmer, H. N. p. 35, are very remarkable: "Quæ pecunia per Anglia partim data partim exacta totum regnum in immensum vastavit. Nihil ecclesiarum ornamentis in hac

A.D. 1095. 8 Rufus.

land should be impoverished with the paying of so small a sum; for a little wool is a great deal when it must be taken from a new-shorn sheep: so pilled and polled were all people before with constant exactions. Such whom his hard usage forced beyond the seas were recalled by his proclamation; so that his heavy levies would not suffer them to live here, and his hard laws would not permit them to depart hence. And when the clergy complained unto him to be eased of their burdens, "I beseech you," said he, "have ye not coffins of gold and silver for dead "men's bones?" intimating that the same treasure might otherwise be better employed.

Variance between the king and Anselm.

36. The streams of discord began now to swell high betwixt the king and archbishop Anselm; flowing principally from this occasion[s]. At this time there were two popes together, so that the eagle with two heads, the arms of the empire, might now as properly have fitted the papacy for the present. Of these, the one (Guibertus) I may call the lay pope, because made by Henry the emperor; the other (Urban) the clergy-pope, chosen by the conclave of cardinals[t]. Now, because like unto like,

"parte indulsit dominandi cu-
"piditas, nihil sacris altarium
"vasis, nihil reliquiarum cap-
"sis, nihil Euangeliorum libris
"auro vel argento paratis." Malmsbury gives an illustration of this; he says, that in his own monastery the abbot stripped off in one day the gold and silver ornaments from twelve copies of the Gospel, eight crosses, eight scrinia, in which were contained the ashes of divers saints. See De Pontif. V. p. 377. ed. Gale.]

[s] [Eadmer, H. N. p. 25. Mat. Paris, ib. Joan. Sarisbur. 164.]

[t] [Of this dispute between the popes, see Mat. Paris in the years 1084, 1086, 1087, 1089, 1094. Hildebrand, who assumed the name of Gregory VII., was deposed in the year 1083, and Guibert, who assumed the name of Clement, was appointed in his stead, by the influence of the emperor. The cardinals, disgusted with this interference, nominated

king William sided with the former, whilst Anselm as earnestly adhered to Urban in his affections, desiring to receive his pall from him, which the king refused to permit[u]. Hereupon Anselm appealed to his pope, whereat king William was highly offended[v]. A. D. 1095. 8 Rufus.

37. But, because none are able so emphatically to tell their stories and plead their causes as themselves, take them in their own words: Their several pleadings, and present reconcilement.

The king objected:

" The custom from my
" father's time hath been in
" England, that no person
" should appeal to the pope,
" without the king's license.
" He that breaketh the cus-
" toms of my realm, vio-
" lateth the power and
" crown of my kingdom.
" He that violateth and

Anselm answered:

" The Lord hath discussed this
" question. *Give unto Cæsar the*
" *things that are Cæsar's, and*
" *unto God the things that are*
" *God's.* In such things as be-
" long to the terrene dignities of
" temporal princes, I will pay my
" obedience; but Christ said,
" *Thou art Peter, and upon this*
" *rock I will build my church,*

Desiderius, abbot of Cassini, to the popedom, under the name of Victor. But he dying shortly after, Otho, a Cluniac monk, bishop of Ostia, was appointed to succeed him, assuming the name of Urban II.]

[u] [Eadmer attributes the siding of Anselm with Urban, to the fact of this pope having been previously acknowledged by Italy and France; and Anselm was a Norman, formerly abbot of Bec. Hist. Novorum. p. 25. Anselm himself urges the same argument in his speech at the synod of Rockingham, where the question of investiture was debated. Ib. p. 26.

It is worthy of notice, that Urban II., by the suggestion of Anselm, passed an act at a council at Rome, that all laymen who conferred investiture (laicos investituros ecclesiarum more pristino conferentes), and that all ecclesiastics who received investiture from laymen should be excommunicated. Mat. Paris, an. 1094. Joan. Sarisbur. p. 167.]

[v] [In this Anselm was opposed by all the bishops, except the bishop of Rochester, a Norman, his personal friend, who had studied with Anselm in the monastery of Bec in Normandy. See Vita Gundulfi episc. Roffens. in Ang. Sac. II. p. 280.]

A.D. 1095. 8 Rufus.

" taketh away my crown, " is a traitor and enemy " against me."

" &c. Whose vicar he ought to " obey in spiritual matters, and " the fetching of his pall was of " that nature[w]."

At last an expedient was found out, that Anselm should not want his pall, nor fetch it himself from Rome, being by the king's consent brought to him by Gualter, pope Urban's legate, (whom the king at last was fain to acknowledge,) and so all things for the present reconciled[x].

They disagree again.

38. But the wound betwixt them was rather skinned over than perfectly healed; and afterwards brake out again, the king taking occasion of displeasure at Anselm's backwardness to assist him in his expedition into Wales[y]. Whereupon Anselm desired a second journey to Rome, there to bemoan, and probably to relieve himself by complaint to the pope. But the king stopped his voyage, affirming that Anselm had led so pious a life, he need crave no absolution at Rome; and was so well stored with learning, that he needed not to borrow any counsel there. Yea, said the king, " Urban had rather give " place to the wisdom of Anselm, than Anselm have " need of Urban." In fine, after much contesting, Anselm secretly stole out of the realm, and the king seized all his goods and lands into his own coffers[z]. Three years was he in exile, sometimes at Lyons, sometimes at Rome; welcome wheresoever he came, and very serviceable to the church by his pious living, painful preaching, learned writing, and solid

[w] [From Malmsb. De Pont. f. 124. b. Mat. Paris, ib. Joan. Sarisbur. ib. 164. Eadmer, ib.]

[x] [Eadmer, H. N. p. 32. Joan. Sarisb. ib.]

[y] [Eadmer, H. N. p. 37-41.]

[z] [Rather he demanded leave to depart a third time, and departed openly. Joan. Sarisb. 165.]

disputing, especially in the general council of Bar[a], where he was very useful in confuting and condemning the errors of the Greek church about the procession of the Holy Spirit[b]. A. D. 1095. 8 Rufus.

39. King Rufus was a hunting in New Forest, which was made by king William his father; not so much out of pleasure or love of the game, as policy to clear and secure to himself a fair and large landing-place for his forces out of Normandy, if occasion did require. Here then was a great devastation of towns and temples; the place being turned into a wilderness for men, to make a paradise for deer. God seemed displeased hereat; for (amongst other tragedies of the Conqueror's family acted in this place) Rufus was here slain by the glancing of an arrow shot by sir Walter Tirrel[c]. An unhappy name to the kings of England; this man casually, and another wilfully (sir James Tyrrel employed in the murdering of king Edward the Fifth) having their A.D. 1100. King Rufus his death.

[a] [Joan. Sarisbur. p. 167. See a treatise upon this subject by Anselm, Opera, p. 49. Ed. G. Gerberon. Par.]

[b] [Malm. ib. f. 127.]

[c] [Doubts existed respecting the cause of his death at a very early period: for John of Salisbury states, that in his own time it was unknown who had shot the arrow by which the king perished. Sir Walter Tyrrell, he says, who is accused by many of being the author of the king's death, because he was very intimate with him, and was near him in the hunt, solemnly protested, on his hopes of salvation, that he was guiltless of that deed. Many persons thought that the king himself had shot the arrow which caused his death, or that he stumbled and fell upon it, as Tyrrell constantly affirmed, although his assertions were not credited. Eadmer, H. N. p. 54. Joan. Sarisbur. p. 170.

This is confirmed by a writer quoted in Selden's notes upon Eadmer, p. 205. See also Orsler, Vitalis Hist. Eccl. p. 783. ed. Duchesne.

One of the same name (probably the same person) is mentioned by John of Salisbury as entertaining archbishop Anselm. Vita Anselmi, p. 157.]

A. D. 1100. 13 Rufus.

hands in royal blood. Now it is seasonably remembered, that some years since this king William had a desperate disease, whereof he made but bad use after his recovery; and therefore now divine justice would not the second time send him the summons of a solemn visitation by sickness, but even surprised him by a sudden and unexpected death.

His burial, and character.

40. Thus died king William Rufus, leaving no issue, and was buried, saith my author[d], at Winchester, *multorum procerum conventu, paucorum vero planctu;* many noblemen meeting, but few mourning at his funerals. Yet some, who grieved not for his death, grieved at the manner thereof; and of all mourners Anselm, though in exile in France, expressed most cordial sorrow at the news of his death. A valiant and prosperous prince, but condemned by historians for covetousness, cruelty, and wantonness, though no woman by name is mentioned for his concubine; probably, because thrifty in his lust, with mean and obscure persons. But let it be taken into serious consideration, that no pen hath originally written the life of this king, but what was made by a monkish penknife; and no wonder, if his picture seem bad, which was drawn by his enemy. And he may be supposed to fare the worse for his opposition to the Romish usurpation; having this good quality, to suffer none but himself to abuse his subjects, stoutly resisting all payments of the pope's imposing. Yea, as great an enemy as he was conceived to the church, he gave to the monks called *De Charitate*, the great new church of St. Saviour's in Bermondsey,

[d] John Bromton, p. 997. [Eadmer, H. N. p. 54. M. Paris, a. 1100. p. 38.]

with the manor thereof, as also of Charlton in Kent[e]. A.D. 1100. 13 Rufus.

41. Henry Beauclerk his brother succeeded him in the throne, one that crossed the common proverb, The greatest clerks are not the wisest men, being one of the most profoundest scholars[f], and most politic princes in his generation. He was crowned Henry the First succeedeth Rufus, and is crowned.

[e] [Though the vices of this king have probably been exaggerated by the monkish chroniclers, to whose order he showed himself no friend, it is certain that he was guilty of the grossest avarice and extortion, particularly in reference to the church. (See Gul. Neubrigens. I. 2.)

At his death he held in his own hands the see of Canterbury, of Winchester, and Sarum; twelve abbies he had either sold or farmed (*in firmam dabat*), or held in his own possession. (Mat. Paris, an. 1100. Chron. Waverl. p. 142. ed. Gale.) Besides these acts of injustice, he scrupled at no violence in levying the money which he had engaged to give his brother for his dukedom. See above, p. 43. Eadmer, H. N. p. 35. In this eager pursuit of money, he spared no class of persons, much less the monastic bodies; he scrutinized the charters and privileges of the different monasteries, subjected them to taxes and the temporal sword, and withstood the aggressions of the monks with a spirit even greater than his father's. See Eadmer, ib. p. 14. William of Malmsb. f. 67.

Another cause which provoked their hostility against him was his love of jesting; frequently meeting a serious charge or petition with a joke. When Anselm first came over into England, upon some business connected with his abbey in Normandy, he expostulated with the king upon his conduct, who turned it off with a laugh, saying, that he could not prevent the licentiousness of people's tongues, and that a wise man like Anselm should not give credit to vulgar reports. When some one had stated in his presence that Anselm was the only man of his time who had no ambition for place or distinction; "What," said the king with a smile, "not care for the arch-"bishopric of Canterbury?" When this also was denied, he said that Anselm would struggle hand and foot if he could get the least chance of obtaining the archbishopric. "But," he continued, "by the face of St. "Luke, (his usual oath,) he "and all his competitors must "give way, I shall be arch-"bishop of Canterbury for "this turn." Malmsb. De Pontif. p. 123. b.]

[f] ["Well seen in the seven liberal sciences." Grafton, p. 32.]

A.D. 1100. 13 Rufus. about four days after his brother's death. At that time the present providing of good swords was accounted more essential to a king's coronation than the long preparing of gay clothes. Such preparatory pomp as was used in after-ages at this ceremony, was now conceived not only useless, but dangerous, speed being safest to supply the vacancy of the throne. To ingratiate himself to the English, he instantly and actually repealed (for his brother William had put all the land out of love and liking of fair promises) the cruel Norman laws. Laws written in blood, made more in favour of deer than of men; more to manifest the power and pleasure of the imposer, than for the good and protection of the subject; wherein sometimes men's mischances were punished for their misdeeds. Yea, in a manner king Henry gave eyes to the blind in winter nights; I mean, light to them who formerly lived (though in their own houses) in uncomfortable darkness after eight o'clock; when heretofore the curfew bell did ring the knell of all the fire and candle-light in English families. But now these rigorous edicts were totally repealed; the good and gentle laws of Edward the Confessor generally revived[g]; the late king's extorting publicans (whereof Ranulf Flambard bishop of Durham the principal) closely imprisoned;

[g] [See the Charter of Liberties granted by Henry I. in Mat. Paris, ibid., and in the Authentic Collection of the Statutes. He was driven to these concessions from fear of his brother Robert. On the death of Rufus a diversion was contemplated in favour of Robert; to prevent which, Henry invited Anselm into England, who by his personal influence gained over many of the discontented nobles to Henry's side. On one occasion, when Robert had landed in England, and many were meditating a revolt, Anselm harangued the people from an eminence. He pro-

the court corruption, by the king's command, studiously reformed; adultery (then grown common) with the loss of virility severely punished; Anselm from exile speedily recalled; after his return, by the king heartily welcomed; by the clergy solemnly and ceremoniously received; he to his church; his lands and goods to him fully restored; English and Normans lovingly reconciled; all interests and persons seemingly pleased; Robert, the king's elder brother (though absent in the Holy Land) yet scarcely missed; and so this century, with the first year of king Henry's reign, seasonably concluded[h]. A. D. 1100. 13 Rufus.

mised in the name of the king redress of all the injuries and evil government which they had suffered under Rufus; and gained over the people so completely, that Robert was compelled to sue for peace. Malms. De Pontif. f. 127.]

[h] [See Malmsb. f. 88.]

THE TWELFTH CENTURY.

JOHANNI FITZJAMES,

DE LEUSTON, IN COM. DORSET. ARMIG.[a]

Non desunt in hoc nostro sæculo, qui librorum dedicationes pene ducunt superstitiosum, plane superfluum; sic enim argutuli ratiocinantur. Liber, si bonus, Patrono non indiget, suo marte pergat; sin malus, Patrono ne sit dedecori, suo merito pereat.

Habeo tamen quod huic dilemmati possim regerere. Liber meus, nec bonus nec malus, sed quiddam medium inter utrumque. Bonum, ipse non ausum pronuntiare, cum plurimis mendis laboret; malum, alii spero non dijudicent, cum legentibus possit esse usui.

Sub hac dubia conditione, vel adversariis nostris judicibus, opus hoc nostrum, Patronum sibi asciscere, et potest et debet; et sub alis clientelæ tuæ qui tam Marte præstas quam Mercurio, foveri serio triumphat.

A.D. 1101. 2 Hen. I.

The hellish imprecation of Maud when married to king Henry.

GRAVE ANSELM, archbishop of Canterbury, espoused and married Maud (daughter of Malcolm king of the Scots, and St. Margaret his wife) to Henry king of England. She had been a professed votary, and was pressed by the impor-

[a] [Arms. Azure. A dolphin embowed. Argent. John Fitzjames of Lewston, county Dorset, esq., was son and heir to Lewston Fitzjames, esq., by his wife Eleanor, daughter of sir Henry Winston, of Standish, county Gloucester, knight. He was descended of an ancient family long seated at Lewston, which they inherited from a female ancestor of that name. At the Restoration he received the honour of knighthood, 9 July, 1660. His only son, John Fitzjames, dying in 1669, *vita patris*, was buried in the circular part of the Temple church, London, where a gravestone was inscribed to his memory. Sir John himself died soon after, as an act was passed 23 Car. II. to enable his two daughters and coheiresses to alienate part of the property. The bulk of his estate went to his daughter Grace, wife of sir George Strode, whose representative is the present duke of Northumberland, B. See Lloyd's Worthies, I. 125, for some account of the ancestors of this family.]

tunity of her parents and friends, for politic ends, to this marriage; insomuch as in the bitterness of her soul, (able to appal the writer hereof, seeing his ink out-blacked with her expression,) she devoted the fruit of her body to the devil, because they would not permit her to perform her promise of virginity. Thus Matthew Paris[b]. But the reader reserveth his other ear for the relation of Eadmerus, reporting this story after a different, yea contrary manner, as followeth: A.D. 1101. 2 Hen. 1.

2. The aforesaid Maud, when a girl, lived under the tuition and correction of Christian her aunt, and abbess of Wilton, at what time the Norman soldiers conquering the kingdom, did much destroy, and more endanger virgins by their violence. Christian therefore to preserve this her niece, clapped a black cloth on her head, in imitation of a nun's veil, which she unwillingly ware in the presence of her aunt, but in her absence off it went from above her head to under her heels; so that in a despiteful manner, she used to tread and trample upon it. Yea, if Malcolm her father chanced to behold her wearing that mock veil, with rage he would rend it off, cursing the causers of it, and avowing that he intended her no votary, but a wife to count Alan. Besides, two grave archdeacons, sent down to Wilton The story otherwise told by Eadmerus, [H. N. p. 56.] an eye and ear-witness.

[b] Anno 1101. p. 58. [The account of Mat. Paris, and the expression attributed to Matilda, seem much more in accordance with her character as described by Malmsbury, than is that of Eadmer, who was probably desirous of removing any thing like scandal from the conduct of his patron Anselm, which would in such an age have attached to any who should venture to persuade a nun, even had she not regularly taken the veil, to leave her holy retirement, and appear again in the world.

Matilda's character is extremely well drawn by Malmsbury, f. 93.]

A.D. 1101. 2 Hen. I. to inquire into the matter reported, that for ought they could learn from the nuns there, this Maud was never solemnly entered into their order. Hereupon a council was called of the English clergy, wherein some grave men attested of their own knowledge, that at the Norman conquest, to avoid the fury of the soldiery, many maids out of fear, not affection; for protection, not piety; made a cloister their refuge, not their choice; were nuns in their own defence, running their heads (but without their hearts) into a veil. And in this case it was resolved by learned Landfranc, that such virgins were bound by an extraordinary obligation above other women,

> Debitam castitati reverentiam exhibere,
> Nullam religionis continentiam servare[c].

which is in effect, that they must be chaste wives, though they need not be constant maids. These things being alleged and proved, Anselm pronounced the nunship of Maud of none effect, and solemnly married her to king Henry. However, some infer the unlawfulness of this match, from the unhappiness of their children, all their issue male coming to untimely deaths. But sad events may sometimes be improved by men's censures, further than they were intended by God's justice: and it is more wisdom seriously to observe them to the instructing of ourselves, than rigidly to apply them to the condemning of others. The rather, because Maud the empress,

[c] Eadmer, H. N. p. 57, 58. [The passage in Eadmer, which Fuller has thus strangely misapprehended, stands thus: "At "ipse [Lanfrancus] quæstionem ipsam consilio generalis "concilii taliter solvit, ut eis, "pro castitate quam se tam "manifestæ rei ostensione amare testatæ fuerant, debitam magis reverentiam judicaret exhibendam, quam ullam servandæ religionis continentiam, nisi propria illam voluntate appeterent, violenter ingerendam."

their sole surviving child, seemed by her happiness to make reparation for the infelicity of all the rest. A. D. 1102. 3 Hen. 1.

3. Next year a more solemn synod was summoned by Anselm, with the king's consent, held at Westminster; whereat, besides bishops, were present at Anselm's request, from the king, the chief lay lords of the land; and this reason rendered: "Forasmuch "as that whatsoever should be determined by the "authority of the said council, might be ratified and "observed by the joint care and solicitousness of "both estates[d]." But whether the lords were present as bare spectators and witnesses to attest the fair transaction of matters, (which some will conceive too little,) or whether they had a power to vote therein, (which others will adjudge too much,) is not clearly delivered. Here we insert the institutions of this synod. And let none say that it is vain to look after the cobwebs, when the besom of reformation hath swept them away; seeing the knowledge of them conduces much to the understanding of that age[e]. A grand synod of the clergy and laity, with the constitutions thereof.

i. That the heresy of simony be severely punished, for which several abbots were then and there deposed.

ii. That bishops undertake not the office of secular pleas, wearing an habit beseeming religious persons, and not be like laymen in their garments; and that always, and everywhere, they have honest persons witnesses of their conversation.

iii. That no archdeaconries be let out to farm.

[d] [Malm. De Pontif. f. 129. b.]

[e] Eadmer, H. N. p. 67, 68. [Most of these injunctions are merely a repetition of the decisions of the council of Clermont in Auvergne, at which Urban presided in the year 1095. The sum of them will be found in M. Paris, p. 15.]

A. D. 1102. 3 Hen. 1.

iv. That all archdeacons be deacons.

v. That no archdeacon, priest, deacon, or canon[f] marry a wife, or retain one being married unto him: and that every sub-deacon, who is not a canon, if he have married after his profession made of chastity, be bound by the same rule.

Hear what a grave author, almost of the same age, saith of this constitution. *Quod quibusdam mundissimum visum est, quibusdam periculosum, ne dum munditias viribus majores [sacerdotes] appeterent, in immunditias horribiles ad Christiani nominis summum dedecus inciderent*[g]. And as Jordan wanting a vent or influx (like other rivers) into the ocean, loseth its current at last in a filthy lake, or dead sea of its own making, so it was to be feared that these men, now debarred that remedy for their weakness, which God, who best knew the constitution of his own creatures, hath provided, settled themselves in some unclean ways, and most mortal filthiness occasioned by this prohibition.

vi. That a priest so long as he keeps unlawful conversation with a woman (understand his own wife) is

[f] *Aliter* being canonical.

[g] Henricus Huntindon, Hist. f. 217. [The words of Matthew Paris, a. 1074. p. 9, otherwise no enemy of the popes, on this policy of Gregory VII., deserve attention:— "uxoratos sacerdotes a divino "removit [Gregorius] officio, "et laicis missas eorum audire "interdixit, *novo exemplo* et, "ut multis visum est, inconsi- "derato judicio, contra sanc- "torum patrum sententiam." ——"*Ex qua re, tam grave* "*oritur scandalum, ut nullius* "*hæresis tempore, sancta ec-* "*clesia graviori sit schismate* "*discissa.*"——"Ad hæc, hac "opportunitate laicis insur- "gentibus contra sacros ordi- "nes, et se ab omni ecclesia- "stica subjectione excutienti- "bus, laici sacra mysteria te- "merant, et de his disputant; "infantes baptizant, sordido "aurium humore pro sacro "chrismate utentes et oleo; "in extremo vitæ viaticum do- "minicum et usitatum eccle- "siæ obsequum sepulturæ, a "presbyteris uxoratis acci- "pere parvipendunt. Decimas "etiam presbyteris debitas, "igne cremant, corpus Domini "a presbyteris uxoratis conse- "cratum pedibus sæpe con- "culcant, et sanguinem Do- "mini voluntarie frequenter "in terram effundunt."

not legal, nor rightly celebrateth the mass; nor is his mass to be heard if he celebrate it. A.D. 1102. 3 Hen. I.

vii. That none be admitted to the order of subdeacon, or upwards, without the profession of chastity.

viii. That the sons of priests be not made heirs to the church of their fathers.

ix. That no clerks be provosts or proctors of secular matters, or judges in blood.

This is the reason, saith the Appendix to Harpsfield[h], (reporting is no approving of his judgment,) why bishops being arraigned for their lives, are not to be tried by their peers, but by a jury of ordinary men; because debarred by their canons to be judges of laypeers in like cases, and therefore it was conceived unfitting that they should receive that honour which they could not return.

x. That priests should not go to public drinkings, *nec ad pinnas bibant*, nor drink at pins.

This was a Dutch trick (but now used in England) of artificial drunkenness, out of a cup marked with certain pins, and he accounted the man who could nick the pin, drinking even unto it; whereas to go above or beneath it was a forfeiture[i].

xi. That the garments of clergymen be of one colour, and their shoes according to order.

xii. That monks and clerks that have cast off their order, either return thereto or be excommunicated.

[h] Hist. Eccl. p. 746.

[i] Hence probably the proverb, He is in a merry pin. It seems to me that this custom was of an earlier date, and owed its origin to an order of St. Dunstan. To prevent the excessive drinking which was common in his days, he ordered little studs of gold or silver to be fastened in the different drinking vessels, to which, and no further, the monks were permitted to drink. Malms. f. 31.

A. D. 1102. 3 Hen. I.

xiii. That clerks have crowns patent, so that their shaving be conspicuous to the beholder.

xiv. That tithes be given to none but to churches.

xv. That churches or prebends be not bought.

xvi. That new chapels be not made without the consent of the bishop.

xvii. That no church be consecrated until necessaries be provided for the priest and church.

xviii. That abbots make no knights, and that they eat and sleep in the same house with their monks, except some necessity forbid.

It appeareth it was the ancient custom of abbots in this age to make knights. Thus Brando[k], the abbot of St. Edmund's-bury, knighted Hereward his nephew, having first confessed his sins, and received absolution. Indeed in those days men's minds were so possessed, that they thought nothing well and fortunately done, but what came from churchmen. Whereupon he that was to be made a knight first offered his sword upon the altar, and after the Gospel read, the priest put the sword first hallowed upon the knight's neck with his *benedictum*[l], and so having heard mass again, and received the sacrament, he became a lawful knight. And seeing the holy war now was begun, no wonder if churchmen made knights: and that age conceived that a knight's sword dipped in holy water was well tempered, and became true metal indeed. Why abbots were now prohibited to confer this honour, the cause is not rendered; whether because it made knighthood too common, or that this privilege was reserved only for higher prelates, such as bishops and archbishops were, or that it was an encroachment upon the royal dignity, it being as proper for kings to ordain priests, as for abbots to dub knights. This is most sure, that notwithstanding

[k] Ingulfus, f. 512. b.

[l] Camden's Brit. p. 126.

this canon, king Henry the First some years after granted, and king John confirmed to the abbot of Reading the power of knighting persons, with some cautions of their behaviour therein[m]. A.D. 1102. 3 Hen. I.

xix. That monks enjoin no penance to any, without permission of their abbot, and that only to such persons whereof they have cure of souls.

xx. That monks and nuns be not godfathers or godmothers.

xxi. That monks hold no lands in farm.

xxii. That monks take no churches by the bishops, and that they spoil not such as are given unto them of the revenues, but so that the priests serving in those cures, and the churches might be provided with necessaries[n].

xxiii. That faith in way of marriage, pledged secretly and without witness, betwixt man and woman, be of no effect if either party do deny it.

xxiv. That *criniti*, such as wear long hair, be so shaven, that part of their ears may appear, and their eyes not be covered.

Criniti are opposed to *tonsi*, extended to all lay-persons. If any demand how it came within the cognizance of the church to provide about their trimming, (which might well have been left to the party's pleasure, and his barber's skill,) know this canon was built on the apostle's words, *Doth not even nature itself teach you, that, if a man have long hair, it is a shame unto him*[o]*?* And the church forbad whatsoever was a trespass againt Christian decency. Gildas giveth this character of the Picts: *Furciferos magis vultus pilis*

[m] J. Selden ad Eadmer. Spicilegium, p. 207.

[n] [These are the words of the canon: "Ne monachi ecclesias nisi per episcopos accipiant, neque sibi datas ita exspolient suis redditibus ut presbyteri ibi servientes in iis quæ sibi et ecclesiis necessaria sunt penuriam patiantur."]

[o] 1 Cor. xi. 14.

A. D. 1102. 3 Hen. I.

quam corporum pudenda——vestibus tegentes[p], "that "they covered rather their thievish eyes with their "hair, than their shame with clothes;" which ruffian-like custom of long hair now used by the Normans, was here justly restrained.

xxv. That parties akin to the seventh generation be not coupled in marriage; and that persons so coupled remain not in marriage; and if any be privy to this incest, and not declare it, let him know himself to be guilty of the same crime.

This brought much grist to the pope's mill for dispensations. As secular princes used to stop travellers on common bridges, or at the entrance of gates, not with intent finally to forbid their going further, but to receive toll or custom for their passing by; so the pope prohibited these degrees in marriage, not absolutely to hinder such matches, but to receive large sums of money for his leave; after whose faculties obtained, if such marriage were against the law of God, men did sin not with less guiltiness, but more expenses.

xxvi. That the bodies of the dead be not carried to be buried out of their own parishes, so that the parish priest should lose his due unto him.

xxvii. That none out of a rash novelty (which we know to have happened) exhibit reverence of holiness to any bodies of the dead, fountains or other things, without authority from the bishop.

xxviii. That none presume hereafter (what hitherto men used in England) to sell men like brute beasts.

This constitution, as all others which concerned the subject's civil right, found not general obedience in the kingdom. For the proceedings of the canon law were never wholly received into practice in the land; but so as made subject in whatsoever touched temporals, to

[p] [Hist, ch. xv.]

secular laws and national customs. And the laity, at pleasure, limited canons in this behalf. Nor were such sales of servants, being men's proper goods, so weakened with this prohibition, but that long after they remained legal according to the laws of the land[q]. A.D. 1102. 3 Hen. 1.

xxix. That the sin of sodometry, both in clergy and laity, should be punished with heavy censures.

Remarkable that the same synod which forbad priests' marriage, found it needful to punish sodometry, an Italian vice, beginning now to be naturalized in England[r]. For those who endeavour to make the way to heaven narrower than God hath made it, by prohibiting what he permits, do in event make the way to hell wider, occasioning the committing of such sins, which God hath forbidden. We may further observe, that the plaister now applied to the rotten sore of sodometry, was too gentle, too narrow, and too little time laid on. Too gentle; for whereas the sin is conceived to deserve death, it was only slubbered over, that the party convict of this wickedness, if in orders, was admitted to no higher honour, and deposed from what he had, till restored again on his repentance. Too narrow, if it be true what one observes, that monks (as neither merely lay nor priests) were not threatened with this curse, where all was hidden in cloisters[s]. Lastly, too little time laid on; for whereas at first it was constituted, that such excommunication of sodomites convicted, should solemnly be renewed every Lord's day; this short-lived canon did die in the birth thereof, and Anselm himself, *postponi concessit*[t], suffered it to be omitted, on pretence that it put beastly thoughts into many men's minds, whose corruption abused the punishment of sin in the provocation thereof; whilst others

[q] See Mr. Selden, Spicileg. ad Eadmerum, p. 208.

[r] [See Fuller's remarks on the fifth rule of these constitutions. And see Eadmer, H. N. p. 24.]

[s] Bale's Acts of English Votaries, part II. f. 63. b. [ed. 1551.]

[t] Eadmerus ut prius.

A. D. 1102. 3 Hen. 1.

conceive this relaxation indulged, in favour to some great offenders, who, hardened in conscience, but tender in credit, could not endure to be so solemnly, publicly, and frequently grated with the shame of the sin they had committed.

So much for the constitutions of that synod, wherein though canons were provided for priests, *cap a pié*, from the shaving to the shoes, yet not a syllable of their instructing the people and preaching God's word unto them. We must not forget, that men guilty of simony in the first canon, are not taken in the vulgar acception for such as were promoted to their places by money, but in a new coined sense of that word; for those who were advanced to their dignities by investiture from the king, which gave occasion to the long and hot broil, happening betwixt king Henry and Anselm, which now we come to relate.

Anselm refuseth to consecrate the king's bishops.

4. The king commanded him to consecrate such bishops as he lately had invested; namely, William of Winchester, Roger of Hereford, &c., which Anselm refused, because flatly against the canon newly made in the council of Rome by pope Urban, that any who had their entrance by the authority of temporal princes should be admitted to bishoprics[v]. Hereupon the king enjoined Gerard archbishop of York to consecrate them; who out of opposition to Anselm his competitor, was as officious to comply

[v] [Eadmer, H. N. p. 69. Malm. De Pontif. f. 128. Roger of Hereford had been invested by the king, but never consecrated by the archbishop: on his deathbed he requested Anselm to perform that office, who refused. Reinelmus, the queen's chancellor, succeeded him, and was at this time bishop of Hereford. See Eadmer, H. N. p. 68, and Mat. Par. a. 1102.]

with the king, as the other was backward, hoping thereby to hitch his church a degree the higher, by help of the royal favour. Here happened an unexpected accident: for William bishop of Winchester refused consecration from the archbishop of York, and resigned his staff and ring back again to the king, as illegally from him[w]. This discomposed all the rest. For whereas more than the moiety of ecclesiastical persons in England were all in the same condemnation, as invested by the king, the very multitude of offenders would have excused the offence, if loyal to their own cause. Whereas now this defection of the bishop of Winchester so brake the ranks, and maimed their entireness, that their cause thereby was cast by their own confession, and so a party raised among them against themselves. A. D. 1105. 6 Hen. 1.

5. Soon after, the king was contented that Anselm should go to Rome, to know the pope's pleasure herein[x]. But one, none of the conclave, without a prophetical spirit, might easily have foretold the resolution of his holiness herein, never to part with power, whereof (how injuriously soever) though but pretendedly possessed. Anselm, for his compliance with the pope herein, is forbidden to return into England, while the king seizeth on his temporalities[y]. Anselm sent to Rome.

6. However, not long after, by mediation of friends, they are reconciled; the king disclaiming his right of investitures, a weak and timorous act of so wise and valiant a prince, whose predecessors before the conquest held this power (though some time loosely) in their own hands; and his predecessors since the A. D. 1107. The king parts with his investing of bishops.

[w] [Reinelmus, elected to Hereford, resigned the ring and staff; William only the staff. Malmsb. ib.]

[x] [Joan. Sarisbur. p. 170.]

[y] [Eadmer, H. N. p. 76.]

A.D. 1107. 8 Hen. I. conquest grasped it fast in their fist, in defiance of such popes as would finger it from them. Whereas now he let it go out of his hand, whilst his successors in vain, though with a long arm, reached after it to recover it[z]. And now Anselm, who formerly refused, consecrated all the bishops of vacant sees; amongst whom Roger of Salisbury was a prime person, first preferred to the king's notice, because he began prayers quickly, and ended them speedily; for which quality he was commended as fittest for a

[z] [The king disclaimed his right of investiture on condition that no prelate should be deprived for doing homage to the king. But be it recorded to the honour of the English clergy, that they zealously opposed this surrender of the royal privilege, and through the entire struggle opposed Anselm's unconstitutional aggressions. See Eadmer, H. N. p. 91. Flor. Wigorn. et Mat. Paris, an. 1107. We owe the subjection of our church, to the papal usurpations, chiefly to the Normans and other foreigners who were promoted to the see of Canterbury. Landfranc and Anselm, both Italians by birth, idolized by the pope, were eager enough to advance the power of the papal see, and their own influence with it. And they used these opportunities at this particular time, whilst three parties, the king, the prelates, and the nobles, were contending in the state, all nearly equal in strength, and when the union of any two of them would be more than a match for the third. Had Henry then at this time opposed the pope's unjust aggressions, he would have subjected himself and his land to an interdict, and so have given immense advantages to his opponents, particularly his brother Robert, with whom many of the nobles had already taken part, but Anselm and the clergy, and the English portion of his subjects, had firmly opposed. Hence Henry's constant endeavour to temporize with Anselm, and to gain time by sending frequently to Rome. He dared not openly reject Anselm, who would then at once have pronounced sentence of excommunication against the king. And the pope and the prelates on their parts would not proceed to such lengths against the king at once, through fear of his power and determination. Therefore both parties avoided as long as they could coming to an open trial of strength.]

chaplain in the camp, and was not unwelcome to the court on the same account[z]. A. D. 1107. 8 Hen. 1.

7. Anselm having divested the king of investing bishops, (one of the fairest robes in the wardrobe,) did soon after deprive the clergy of one half of themselves. For, in a solemn synod he forbade priests' marriage; wherein, as charitably we believe, his intentions pious and commendable, and patiently behold his pretences, specious and plausible, so we cannot but pronounce his performance for the present injurious and culpable, and the effects thereof for the future pernicious and damnable. And here we will a little enlarge ourselves on this subject of so high concernment. Anselm forbids priests' marriage.

8. It is confessed on all sides, that there is no express in scripture to prohibit priests' marriage. Thomas[a] and Scotus[b], commonly cross, (as if reason enough for the latter to deny, because the former affirmed it,) do both (such the strength of truth) agree herein. Only ecclesiastical constitutions forbid them marriage. And, though many popes tampered hereat, none effectually did drive the nail to the head, till Hildebrand, *alias* Gregory the Seventh, (the better man the better deed,) finally interdicted priests' marriage. However, his constitutions, though observed in Italy and France, were not generally obeyed in England; till Anselm at last forbade Only by a church-constitution.

[z] [See Gul. Neubrigens. i. 6. William of Malmsbury is far more favourable to this prelate's character; commending him greatly, amongst other things, for his magnificence, his restoring and adorning the church of Salisbury. f. 91.]

[a] In 2da 2dæ. quæst. lxxxviii. art. 11. [p. 167. ed. 1604.]

[b] Lib. vii. de Justitia quæst. 6. artic. 2do.(?) [For an account of the proceedings touching the forbidding of the clergy to marry, see Eadmer, H. N. p. 67, 83, 85, 94, 105.]

A.D. 1107. 8 Hen. I. married priests to officiate, or any lay-people, under pain of censure, to be present at their church-service.

Grounded on a double error. 9. Herein he proceeded on two erroneous principles. One, that all men have, or may have, (if using the means,) the gift of continency. Wherein they do not distinguish betwixt,

i. Common gifts, which God bestoweth on all his servants; Jude ver. 3, "common salvation."

ii. Proper gifts, thus the apostle[c], when he had wished all like himself, that is, able to contain, he immediately addeth, *But every man hath his proper gift of God, one after this manner, and another after that.*

His other false supposition is, that marriage is either inconsistent with, or at least impeditive to the purity of priestly profession.

Paramount holiness in a married person. 10. The falseness whereof appeareth by the precedent of Enoch, in whom met the threefold capacity of king, priest, and prophet. Yet his marriage remitted not the reins of his princely power, hindered not the performance of his sacerdotal function, rebated not the edge of his prophetical spirit; for, *He walked with God, and begat sons and daughters*[d]. He made not a prayer the less for having a child the more: and let us be but alike holy with Enoch, and let others be more holy with Anselm.

St. Paul expounded. 11. Wherefore when the apostle saith, *He that is married careth for the things which are of this world, how he may please his wife*[e], therein he describeth, not that height of God-pleasing which marriage ought, and in itself may, and by Enoch was improved, but expresseth such faults which through

[c] 1 Cor. vii. 7. [d] Gen. v. 22. [e] 1 Cor. vii. 33.

human corruption too commonly come to pass. Which are *vita mariti, non matrimonii; uxoris, non uxoratus*, flowing neither from the essence, nor from the exercise of marriage, but only from the depraved use thereof, which by God's assistance, and man's best endeavours, may be rectified and amended. A.D. 1107. 8 Hen. 1.

12. It is therefore falsely charged on marriage, *qua* marriage, that it is an hinderance to hospitality; starving the poor to feed a family. It is confessed it would break marriage, if, *cæteris paribus*, she should offer to vie bounty with virginity; only she may equal virginity in cheerfulness of her giving, and in the discreet choice of fit objects whereon to bestow it. Yet give me leave to say, in a married family there be commonly most mouths, and where most mouths, there probably most bread is eaten, and where most bread is eaten, there certainly most crumbs fall beneath the table, so that the poor are feasted by those fragments. If any rejoin, that single folk bestow their alms not by crumbs, but whole loaves, the worst I wish is, that poor people may find the truth thereof. Nor doth the having of children, *qua* children, make men covetous, seeing Solomon saw a man *who had neither child nor brother, yet his eye was not satisfied with riches*[f]. On the other side, I find two in one and the same chapter[g] professing they had enough, viz. Esau and Jacob, both of them married, both of them parents of many children. And marriage defended.

13. And here well may we wonder at the partiality of the papists, over-exalting marriage in the laity to a sacrament, and too much depressing the same in priests, as no better than refined fornication. Yea, A monk's verses, as bald as his crown.

[f] Eccles. iv. 8. [g] Gen. xxxiii. 9, 11.

A.D. 1107. 8 Hen. I. some have made virginity the corn, and marriage the cockle; which is a wonder that they should be of several kinds, seeing virginity is but the fruit, and marriage the root thereof. But, amongst all the foul mouths belibelling marriage, one railing rhythmer, of Anselm's age, bore away the bell, (drinking surely of Styx instead of Helicon,) and I am confident my translation is good enough for his bald verses.

O male viventes, versus audite sequentes;
Uxores vestras, quas odit summa potestas,
Linquite propter eum, tenuit qui morte trophæum.
Quod si non facitis, inferni claustra petetis:
Christi sponsa jubet ne presbyter ille ministret
Qui tenet uxorem, Domini quia perdit amorem.
Contradicentem fore dicimus insipientem,
Non ex rancore loquor hæc, potius sed amore[h].

O ye that ill live, attention give, unto my following rhythmes;
Your wives, those dear mates, whom the highest power hates, see that ye leave them betimes.
Leave them for his sake, who a conquest did make, and a crown and a cross did acquire.
If any say no, I give them to know, they must all unto hell for their hire.
The spouse of Christ forbids that priest his ministerial function,
Because he did part with Christ in his heart, at his marriage-conjunction.
We count them all mad, if any so bad, as daring herein to contest;
Nor is it of spite that this I indite, but out of pure love, I protest.

Where did this railing monk ever read that God hated the wives of priests? And did not the church of Rome at this time come under the character of

[h] Found in Ramsey abbey, in a treatise De Monicatu, cited by John Bale, [Acts of the English Votaries, p. II. f. 60, b. ed. 1551.]

that defection described by the apostle? *That in the latter times some should depart from the faith, forbidding to marry, &c.*[i] A. D. 1107. 8 Hen. I.

14. These endeavour (as they are deeply concerned) to wipe off from themselves this badge of antichrist, by pleading that, An ill evasion.

i. They forbid marriage to no man.

ii. They force priesthood on no man.

Only they require of those who freely enter into the priesthood to vow virginity, and command such to part with their wives who were formerly entered into orders.

15. All which is alleged by them but in vain, seeing marriage may be forbidden, either directly or consequentially. For the first; none, well in their wits, consulting their credit, did ever point-blank forbid marriage to all people. Such would be held as, *hostes humani generis*, "enemies of mankind," in their destructive doctrines. Nor did any ever absolutely (as it followeth in the same text) command all to abstain from meats. This were the way to empty the world of men, as the simple forbidding of marriage would fill it with bastards. And, although some silly heretics, as Tatian, Marcion, and Manicheus, are said absolutely to forbid marriage, yet they never mounted high, nor spread broad, nor lasted long. Surely some more considerable mark is the aim of the apostle's reproof, even the church of Rome, who by an oblique line, and consequentially, prohibit marriage to the priests, a most considerable proportion of men within the pale of the church. Well stopped up.

16. Notwithstanding the premises, it is fit that Marriage-bed may be

[i] 1 Tim. iv. 1.

A. D. 1107. 8 Hen. I. the embraces of marriage should on some occasion for a time be forborne, for the advance of piety; first, when private dalliance is to yield to public dolefulness: *Let the bridegroom go out of his chamber, and the bride out of her closet*[k]. For though by the Levitical law one might not be forced to fight in the first year of his marriage, yet might he on just occasion be pressed to fast on the first day thereof. It is not said, Let the bridegroom go out of his bridegroom-ship, but only *out of his chamber;* and that also with intention to return when the solemnity of sorrow is overpast. Secondly, when such absence is betwixt them mutually agreed on; *Defraud ye not one another, except it be with consent for a time, that ye may give yourselves to fasting and prayer, and come together again, that Satan tempt you not for your incontinency*[l]. Here indeed is an interdiction of the marriage bed, but it is voluntary, by mutual consent of the parties; and temporary, only *durante eorum beneplacito*, not as the popish prohibition, impulsive, by the power of others, and perpetual, to continue during their lives.

forborne for a time, not totally forbidden.

H. Huntingdon his censure of Anselm.

17. Hear what Henry of Huntingdon[m] expressly saith of Anselm's carriage herein. "He prohibited "English priests to have wives, who before time "were not prohibited; which as some thought to be "a matter of greatest purity, so others again took it "to be most perilous, lest while by this means they "aimed at cleanliness above their power, they should "fall into horrible uncleanness, to the exceeding "great shame of Christianity."

Anselm dieth *re infecta*.

18. But Anselm died before he could finish his

[k] Joel ii. 11. [l] 1 Cor. vii. [m] [Hist. f. 217, a.]

project of priests' divorces, who had he deceased before he began it, his memory had been left less stained to posterity[n]. His two next successors, Radulphus and William Curbuil, went on vigorously with the design, but met with many and great obstructions. Other bishops found the like opposition, but chiefly the bishop of Norwich, whose obstinate clergy would keep their wives in defiance of his endeavours against them. A. D. 1109. 9 Hen. I. *fecta* of priests' divorces.

19. Indeed Norfolk men are charactered *in jure municipali versatissimi*, and are not easily ejected out of that whereof they had long prescription and present possession; no wonder therefore if they stickled for their wives, and would not let go a moiety of themselves. Besides, Herbert Losing of Norwich needed not to be so fierce and furious against them, if remembering his own extraction, being the son of an abbot. These married priests traversed their cause with scripture and reason, and desired but justice to be done unto them. But justice made more use of her sword than of her balance in this case, not weighing their arguments, but peremptorily and powerfully enjoining them to forego their wives, notwithstanding that there were in Eng- The stoutness of Norwich clergy.

[n] [He died on Wednesday, 21st of April, 1109. Flor. Wigorn., Sym. Dunelm., in an. 1109. After his death, the see of Canterbury remained vacant for five years. When the king was admonished not to leave the mother of the churches so long a widow; he answered, that Landfranc and Anselm had been such excellent archbishops, that he could find no successor equal to them, and felt reluctant to make a worse choice than his father. "Talia responsa videbantur plura juris et æqui et erant plane," says Malmsbury, in his panegyric upon Anselm. De Pontif. f. 130, b. The honest chronicler seems not to have penetrated very deeply into the king's policy. Radulphus de Turbine succeeded in 1115, and William in 1123.]

A. D. 1125. 26 Hen. I.

land at this time many married priests, signal for sanctity and abilities.

Learned married Ealphegus.

20. Amongst the many eminent married priests flourishing for learning and piety, one Ealphegus was now living, or but newly dead. His residence was at Plymouth in Devonshire. Mr. Camden[o] saith he was *eruditus et conjugatus*, but the word *conjugatus* is by the *index expurgatorius*[p] commanded to be deleted.

A virgin-lecher unmasked.

21. To order the refractory married clergy, the bishops were fain to call in the aid of the pope. John de Crema, an Italian cardinal, jolly with his youthful blood and gallant equipage, came over into England with his bigness and bravery to bluster the clergy out of their wives. He made a most gaudy oration in the commendation of virginity, as one who in his own person knew well how to value such a jewel by the loss thereof. Most true it is that the same night at London he was caught abed with an harlot, whereat he may be presumed to blush as red as his cardinal's hat, if any remorse of conscience remained in him[q]. What saith Deborah, *In the days of Shamgar, when the highways were unoccupied*, (obstructed by the Philistines,) *travellers walked through by-paths*[r]. The stopping the way of marriage, God's ordinances, made them frequent such base by-paths, that my pen is both afraid and ashamed to follow them. Cardinal Crema his mischance (or rather misdeed) not a little advantaged the reputation of married priests.

[o] Brit. in Devon, [p. 145.]

[p] Printed an. 1612. p. 383.(?)

[q] Roger Hoveden, [f. 274, n.] and Hen. Huntingdon, [f. 219, a. An account of the proceedings of the synod at which this cardinal presided will be found in Flor. Wigorn. an. 1125. Wilkins, I. 406.]

[r] Judges v. 6.

22. Bishops, archbishops, and cardinal, all of them almost tired out with the stubbornness of the recusant clergy; the king at last took his turn to reduce them. William Curbuil, archbishop of Canterbury, willingly resigned the work into the king's hand, hoping he would use some exemplary severity against them; but all ended in a money matter; the king taking a fine of married priests, permitted them to enjoy their wives, as well they might, who bought that which was their own before[s]. A. D. 1126. 27 Hen. I. Priests buy their own wives.

23. About this time the old abbey of Ely was advanced into a new bishoprick, and Cambridgeshire assigned for its diocese, taken from the bishopric of Lincoln; out of which Henry the First carved one (Ely), and Henry the last two (Oxford and Peterborough) bishoprics, and yet left Lincoln, the largest diocese in England. Spaldwick manor in Huntingdonshire was given to Lincoln, in reparation of the jurisdiction taken from it and bestowed on Ely[t]. Ely-abbey made a bishopric.

24. One Herveus was made first bishop of Ely: one who had been undone, if not undone, banished by the tumultuous Welsh, from the beggarly bishopric of Bangor; and now (in pity to his poverty and patience) made the rich bishop of Ely. It is given to parents to be most fond of and indulgent to their youngest, which some perchance may render as a reason why this bishopric, as last born, was best beloved by the king. Surely he bestowed upon it vast privileges; and his successors cockering this see for their darling, conferred some of their own royalties thereon. And enriched with royalties.

25. Bernard, chaplain to the king, and chancellor St. David's contest

[s] [Malmsb. f. 99.]

[t] [In 1109. See Wharton's Ang. Sac. I. 615. Mat. Paris, an. 1109.]

A.D. 1126. 27 Hen. I. with Canterbury.

to the queen, was the first Norman made bishop of St. David's. Presuming on his master's favour and his own merit, he denied subjection to Canterbury, and would be (as anciently had been) an absolute archbishop of himself. Indeed St. David's was Christian some hundred of years, whilst Canterbury was yet pagan; and could shew good cards (if but permitted fairly to play them) for archiepiscopal jurisdiction, even in some respect equal to Rome itself. Witness the ancient rhythming verse about the proportions of pardons given to pilgrims for their visiting religious places,

Roma semel quantum bis dat Menevia tantum.

Not that St. David's gives a peck of pardons where Rome gives but a gallon (as the words at the first blush may seem to import), but that two pilgrimages to St. David's should be equal in merit to one pilgrimage to Rome, such was the conceived holiness of that place.

Impar congressus.

26. Giraldus Cambrensis states the case truly and briefly[t]. That Canterbury hath long prescription, plenty of lawyers to plead her title, and store of money to pay them. Whereas St. David's is poor, remote out of the road of preferment; intimating no less, that if equally accommodated she could set on foot as good an archiepiscopal title as Canterbury itself. But he addeth, that except some great alteration happeneth, (understand him, except Wales recover again into an absolute principality,) St. David's is not likely to regain her ancient dignity. William archbishop of Canterbury, aided by the pope, at last humbled the bishop of St. David's into

[t] [De jure et statu Menevensis ecclesiæ, p. 534. Printed in the second volume of Wharton's Anglia Sacra.]

a submission; who vexed hereat, wreaked his spleen on the Welsh clergy; furiously forcing them to forego their wives. The successors of this bishop would have been more thankful to his memory had he laboured less for the honour, and more preserved the profits of his see, whose lands he dilapidated with this his expensive suit, and on other designs for his own preferment[u]. A.D. 1135. 36 Hen. I.

27. King Henry died in Normandy of a surfeit by eating lampreys[v]. An unwholesome fish, insomuch that Galen, speaking of eels in general, (whereto lampreys may be reduced,) expostulates with the gods for giving them so delicious a taste, and so malignant and dangerous an operation. But grant them never so good, excess is a venomous string in the most wholesome flesh, fish, and fowl, and it was too great a quantity caused a surfeit. I find him generally commended for temperance in his diet[w]; only his palate (his servant in all other meats) was commonly his master in this dish. He was buried at Reading[x], leaving but one daughter (the sea having swallowed his sons) surviving him. King Henry his death.

[u] [The causes of St. David's losing its archiepiscopal title were briefly these: Samson, its archbishop during the raging of a yellow pest (*ictericia*), at the solicitation of his countrymen passed over into Britanny. The see of Dole being then vacant, he was elected to it, and the bishops who succeeded him retained his pall. But though St. David's was thus deprived of its ancient dignity, the bishops of Wales were always consecrated by the archbishop of St. David's, as he was always consecrated by his suffragans without making subjection to any other church; and thus it continued till the subjection of that country by Henry I. Girald. Cambrensis, p. 534. ib. Gul. Neubrigens. I. 3. n.]

[v] Mat. Paris, [a. 1135.]

[w] [By Malmsbury, De Gest. f. 91, b. and 100. A short account of his sickness is given by Peter, abbot of Cluny, in a contemporary letter to Adela. Marrier Bibliotheca Cluniacensis, p. 635. ed. 1614.]

[x] [Where he erected an abbey of Cluniac monks. One

A.D. 1135. 1 Stephen.

Stephen usurpeth the crown on a silly title.

28. Stephen earl of Bologne hearing of Henry his death, hasteth over into England, and seizeth on the crown[y]. All his title unto it was this; first, Maud, the true heir thereof was a female. Secondly, absent beyond the seas. Thirdly, married to a foreigner. Fourthly, no very potent prince, viz. Geoffry Plantagenet earl of Anjou, whose land-lock-situation rendered him less formidable for any effectual impression on this island. Lastly, he was son to Adela, daughter to king William the Conqueror, (though a male, deriving his title from a female,) conceiving himself the daughter's son, to be preferred before Maud, the son's daughter. Indeed Stephen had an elder brother, Theobald earl of Blois, but he chose a quiet county before a cumbersome kingdom; the enjoyment of his own, rather than invasion of another's inheritance, seeing Maud was the undoubted heir of the English crown[z].

Maud the Fourth.

28. This Maud I may call Maud the Fourth; yea, England had no queen of another name since the Conquest which left any issue.

i. Maud the First, wife to king William the Conqueror.

ii. Maud the Second, (daughter to Malcolm king of Scots,) wife to king Henry the First.

iii. Maud the Third, wife to king Stephen.

iv. Maud the Fourth, daughter to king Henry the First, and in right queen of England.

of the first establishments of that order in England. Malmsb. ib. See however the Monasticon, I. 417.]

[y] [Trivet. I. 4. Mat. Paris, a. 1135.]

[z] [Rather Theobald was of a tame spirit, "remissioris ingenii." Upon which account his mother set him aside, and inspired her younger son Stephen with the ambitious hopes of succeeding to his uncle's throne. Trivet. I. 4., and Gul. Neubrig. i. 4.]

This last Maud was first married to Henry the Fourth, emperor of Germany, and after his death was constantly called the empress, by the courtesy of Christendom, though married to earl Geoffry, her second husband. To her all the clergy and nobility had sworn fealty in her father's lifetime[a]. A.D. 1135. 1 Stephen.

29. William archbishop of Canterbury[b], notwithstanding his oath to Maud, solemnly crowned Stephen, and in the same act shewed himself perjured to his God, disloyal to his princess, and ungrateful to his patroness, by whose special favour he had been preferred. The rest of the bishops to their shame followed his example; dealing with oaths as seamen with the points in the compass, saying them forwards and backwards. Indeed covetousness and pride prompted this disloyalty unto them, hoping to obtain of an usurper what they despaired to get from a lawful king. For their modesty (and that little enough) in asking was all Stephen's measure in giving; resolving with himself for the present to grant what should please them, and at leisure to perform what should please himself. Let him now get but the stump of a crown, and with wise watering thereof, it would sprout afterwards. Hence was it that he granted the bishops liberty to build and hold many castles; freedom in forests; investiture from the pope[c]; with The perjury of the clergy.

[a] ["Quam [Matildam] quamvis esset admodum juvencula anno gratiæ MCX uxorem duxit Imperator Henricus quintus, quem quidam quarum dicunt non numerantes Henricum primum, eo quod benedictionem imperialem fuerit minime assecutus." Nic. Trivet. I. 3. The oath of fealty was made to Maud in the 27th year of her father's reign. She married her second husband, Geoffry Plantagenet, in 1129, three years after the death of her first. Trivet, ib.]

[b] [William Curbuil. See Trivet. I. 5. Gul. Neubrig. I. 4.]

[c] [His title was confirmed by pope Innocent. Symeonis

A. D. 1135. 1 Stephen. many other immunities which hitherto the clergy never obtained. All things thus seemingly settled, yet great was the difference of judgments in the English concerning king Stephen, which afterwards discovered themselves in the variety of men's practices.

Variety of people's opinions.

30. Some acted vigorously for Stephen, conceiving possession of a crown createth a right unto it. Where shall private persons (unable of themselves to trace the intricacies of princes' titles) fix their loyalty more safely than on him whom success tendereth unto them for their sovereign? God doth not now (as anciently) visibly or audibly discover himself; we must therefore now only look and listen to what he sheweth and saith by his voice in the success of things, whereby alone he expresseth his pleasure what he owneth or disclaimeth. This their judgment was crossed by others, who distinguished betwixt heaven's permission and consent; God sometimes suffering them to have power to compel, to whom he never gave authority to command.

Pro and *con* for king Stephen.

31. But some urged, that Stephen was declared lawful king by popular consent, which at this time could alone form a legal right to any in this island. For Maud, Stephen's corrival, in vain pretended succession, seeing the crown since the conquest never observed a regular, but an uncertain and desultory motion. Nor was it directed to go on by the straight line of primogeniture, which leaped over the Conqueror's eldest to his second son: then taking a new

Dunelm. Contin. a. 1136. Stephen was not joined by the clergy until he had been acknowledged by the nobility and laity. See Malmsb. f. 101. He was indebted for his success to Henry his brother, then the pope's legate in England.]

rise, from the eldest still surviving, to Henry his third son. Here no chain of succession could be pleaded, where no two links followed in order. But others answered, that such popular election of Stephen had been of validity, if the electors had been at liberty; whereas they being preengaged to Maud by a former oath, could not again dispose of those their votes, which formerly they had passed away. A. D. 1135. 1 Stephen.

32. Others conceived that the stain of Stephen his usurpation in getting the crown was afterward scoured clean out by his long (more than eighteen years) enjoying thereof. For, suppose Providence for a time may wink and connive, yet it cannot be conceived in so long a slumber, yea, a sleep, yea, a lethargy, as to permit one peaceably so long to possess a throne, except heaven had particularly designed him for the same. To this others answered, that Stephen all that time rather possessed than enjoyed the crown, (alarmed all his life long by Maud and her son,) so that he had as little quiet in, as right to the kingdom. But grant his possession thereof never so peaceable, what at first was foundered in the foundation, could not be made firm by any height of superstructure thereupon. An error by continuance of time can never become a truth, but the more inveterate error. A second party with their opposers.

33. A third sort maintained, that subjects' loyalty is founded on their sovereign's protection, so that both sink together. Seeing therefore Maud was unable to afford her people protection, her people were bound to no longer allegiance. But this position was disproved by such, who bottoming allegiance only on conscience, make protection but the encouragement, not the cause thereof. They distinguished A third with theirs.

A.D. 1135. 1 Stephen.

also betwixt a prince's wilful deserting his people, and his inability to protect them; not through his own default, but the forcible prevailing of others. Thus the conjugal tie is only dissolved by the parties' voluntary uncleanness, and not by his or her adventitious impotency to render due benevolence.

A fourth with theirs.

34. A fourth party avouched that Maud, though not actually and openly, yet tacitly and interpretatively, released the English from their allegiance unto her. For what prince can be presumed so tyrannical, as to tie up people to the strict terms of loyalty unto him, when the same is apparently destructive unto them, and no whit advantageous to himself? But others disliked this position; for where did any such relaxation appear? It cancelleth not the obligation of a debtor to fancy to himself an acquittance from his creditor, which cannot be produced.

Some act at, not for king Stephen's commands.

35. Some acted at the commands, though not for the commands, of king Stephen, namely, in such things wherein his injunctions concurred with equity, charity, and order, consistent with the principles of public utility and self preservation. These, having the happiness to be commanded by an usurper to do that which otherwise they would have done of themselves, did not discover themselves to act out of their own inclinations, whilst it passed unsuspected in the notion of their obedience to king Stephen. Thus many thousands, under the happy conduct (or at leastwise contrivance) of Thurstan, archbishop of York, though in their hearts well affected to Maud her title, unanimously resisted David king of Scots[d],

[d] [Trivet. I. 6. Gul. Neub. i. 5. Sym. Cont. 1137–8.]

though he pretended recuperative arms in queen Maud her behalf; under which specious title he barbarously committed abominable cruelties, till nettled therewith, both Stephanists and Maudists jointly bad him battle, and overthrew him nigh Alerton in Yorkshire[e]. A.D. 1135. 1 Stephen.

36. All generally bare the burdens, and no less politicly than patiently, paid all taxes imposed upon them. Recusancy in this kind had but armed king Stephen with a specious pretence to take all from them for refusing to give a part. Nor scrupled they hereat, because thereby they strengthened his usurpation against the rightful heir, because done against their wills, and to prevent a greater mischief: meantime they had a reservation of their loyalty, and, erecting a throne in their hearts, with their prayers and tears mounted queen Maud on the same. Politic patience.

37. Robert earl of Gloucester (the queen's half-brother) may even make up a form by himself, finding none other before or after him of the same opinion. Who conditionally did homage to king Stephen, *scilicet si dignitatem suam sibi servaret illibatam*[f], namely, "So long as he preserved this Robert's "dignity (for so I understand the pronoun's recipro-"cation) to be inviolated." Robert earl of Gloucester singular.

38. A few there were whose relucting consciences remonstrated against the least compliance with king Stephen; whose high loyalty to Maud interpreted all passiveness under an usurper to be activity against Highly conscientious.

[e] [The cause of Maud was chiefly espoused by the Londoners, but when upon the capture of Stepen in 1142, she was raised to the throne, she showed so much pride and cruelty, as quickly to estrange from her the hearts of her partisans. See Symeon Dunelm. cont. p. 270. Gul. Neubrig. i. 9.]

[f] [M. Paris, p. 75. an. 1136.]

A.D. 1136 2 Stephen.

the right heir. These even quitted their lands in England to the tempest of times, and secretly conveyed themselves, with the most incorporeal of their estates, (as occupying the least room in their waftage over,) into Normandy.

An honest revolt of the clergy.

39. The clergy, perceiving that king Stephen performed little of his large promises unto them, were not formerly so forward in setting him up, but now more fierce in plucking him down, and sided effectually with Maud against him. An act which the judicious behold, not as a crooked deed, bowing them from their last, but as an upright one, straightening them to their first and best oath, made to this Maud in the lifetime of her father. But Stephen (resolved to hold with a strong what he had got with a wrong hand) fell violently on the bishops, who then were most powerful in the land, (every prime one having, as a cathedral for his devotion, so many manors for his profit, parks for his pleasure, and castles for his protection,) and he uncastled Roger of Salisbury, Alexander of Lincoln, and Nigellus of Ely, taking also a great mass of treasure from them[g].

A.D. 1137. Canons of Paul's soundly paid.

40. Most fiercely fell the fury of king Stephen on the dean and canons of Paul's, for crossing him in the choice of their bishop. For he sent and took their Focarias[h], and cast them into London Tower; where they continued many days, not without much scorn and disgrace, till at last those canons ransomed their liberty at a great rate.

What Focariæ were.

41. What these Focariæ were, we conceive it no disgrace to confess our ignorance, the word not ap-

[g] [Mat. Paris, a. 1139. Trivet, I. 7. Gul. Neub. i. 6.]
[h] Rad. de Diceto, [p. 506.]

pearing in any classical author, and we must by degrees screw ourselves into the sense thereof. A.D. 1137. 2 Stephen.

i. It signifieth some female persons, the gender of the word discovering so much.

ii. They were near to the canons, who had an high courtesy for them, as appears by procuring their liberty at so dear a price.

iii. Yet the word speaks not the least relation of affinity or consanguinity unto them.

iv. All the light we can get in this Focariæ, is from some sparks of fire which we behold in the word, so as if these shes were nymphs of the chimney, or fire-makers to these canons.

If so, surely they had their holyday clothes on when sent to the Tower, (kitchen-stuff doth not use to be tried in that place,) and were considerable (if not in themselves) in the affections of others. And now, well fare the heart of Roger Hoveden, who plainly tells us that these Focariæ were these canons' concubines[i]. See here the fruit of forbidding marriage to the clergy, against the law of God and nature. What saith the apostle? *It is better to marry than to burn*[ii]; or, which is the same in effect, It is better to have a wife than a fire-maker.

[i] [Hist. f. 430. The term *focariæ* occurs in the Chronicon de Lanercost, in connection with others, as to leave its meaning no longer doubtful. "Præcepit etiam rex ministris suis quod concubinas "et focarias et amasias presbyterorum et clericorum inventas comprehenderent." p. 4. For the use of this work I am indebted to its editor, Joseph Stevenson, esq., lately one of the sub-commissioners of records. The manner in which he has executed his task is as creditable to his talents and industry, as the publication of the MS. is to the liberality and judgment of the Bannatyne and Maitland clubs. It is one of the most valuable modern contributions to English history.]

[ii] 1 Cor. vii. 9.

A.D. 1136. 3 Stephen. A synod at Westminster.

42. Albericus bishop of Hostia came post from Rome, sent by pope Innocent the Second into England; called a synod at Westminster, where eighteen bishops and thirty abbots met together[j]. Here was concluded; That no priest, deacon, or sub-deacon should hold a wife or woman within his house, under pain of degrading from his Christendom, and plain sending to hell. That no priests' son should claim any spiritual living by heritage. That none should take a benefice of any layman. That none were admitted to cure which had not the letters of his orders. That priests should do no bodily labour: and that their transubstantiated god should dwell but eight days in the box, for fear of worm-eating, moulding, or stinking, with such like. In this synod Theobald abbot of Becco was chosen archbishop of Canterbury in the place of William lately deceased.

A.D. 1139. Henry of Winchester England's archprelate.

43. The most considerable clergyman of England in this age for birth, wealth, and learning, was Henry of Blois, bishop of Winchester, and brother to king Stephen[k]. He was by the pope made his legate for Britain, and outshined Theobald the archbishop of Canterbury. For although Theobald just at this time was augmented with the title of *legatus natus*, (which from him was entailed on his successors

j [Symeonis Dunelm. cont. p. 264. 327. Wilkins, I. 416. Trivet. I. 7. The first council was assembled by Albericus at London in 1138, when Theodore abbot of Bec was consecrated archbishop of Canterbury (Trivet. 7.). The second in 1139, by Henry bishop of Winton, at Winchester (Malm. f. 103.), and a third in the same place in 1142 (Malm. f. 106, b.) Another at London in 1143, at which Stephen was present. Trivet, 12]

k [This Henry was the fourth, as Stephen was the third son of Adela, daughter of William the Conqueror. He was originally a Cluniac monk, and abbot of Glastenbury, the rich revenues of which place he was allowed to hold in conjunction with the see of Winchester. Trivet. I. 4, 5. Gul. Neubrigens. i. 4.]

in that see,) yet this Henry of Blois, being for the present *legatus factus*, out-lustered the other as far as an extraordinary ambassador doth a leger of the same nation. In this Henry two interests did meet and contend; that of a brother, and that of a bishop; but the latter clearly got the conquest, as may appear by the council he called at Winchester, wherein the king himself was summoned to appear[1]. Yea, some make Stephen personally appearing therein, (a dangerous precedent, to plead the cause of the crown before a conventicle of his own subjects,) so that to secure Rome of supremacy in appeals, he suffered a recovery thereof against his own person in a court of record, losing of himself to save the crown thereby unto himself. But William of Malmsbury, present at the council, (and therefore his testimony is to be preferred before others,) mentions only three parties in the place present there with their attendance: A.D. 1136. 4 Stephen.

i. Roger of Salisbury, with the rest of the bishops, grievously complaining of their castles taken from them.

ii. Henry bishop of Winchester, the pope's legate, and president of the council; with Theobald archbishop of Canterbury pretending to umpire matters in a moderate way.

iii. Hugh archbishop of Rouen, and Aubery de Vere, (ancestor to the earl of Oxford,) as advocate for king Stephen.

This Aubery de Vere seems learned in the laws, being charactered by my author, *homo causarum*

[1] [Stephen was present at a synod held in London in 1143, which probably Fuller has mistaken for Winchester; not apparently on account of any citation or compulsion; "benigne "interfuit et favoris regii suf- "fragium non negavit." Gul. Neubrigens. i. 10. See also Wilkins' Conc. I. 421. sq.]

A.D. 1139. 4 Stephen. *varietatibus exercitatus*, "a man well versed in the "windings of causes[m]."

The issueless issue of the synod at Winchester.

44. In this synod, first the commission of pope Innocent the Second was read, empowering the said Henry bishop of Winchester with a legative authority. Then the legate made a sermon; *Latiariter*, which is, as I conceive, "in the Latin tongue." We find not his text; but know this was the subject of his discourse, to inveigh against king Stephen depriving those bishops of their castles. Sermon ended, the king's advocates, or true subjects rather, (many making them to speak only out of the dictates of their own loyalty, and not plead by deputation from the king,) made his defence, that bishops could not canonically hold castles, and that the king had despoiled them of their treasure, not as episcopal persons, but as they were his lay-offices, advised thereto by his own security. The bishops returned much for themselves, and in fine, the synod brake
A.D. 1140 up without any extraordinary matter effected. For soon after came queen Maud with her navy and army out of Normandy, which turned debates into deeds, and consultations into actions: but we leave the readers to be satisfied about the alternation of success betwixt king Stephen and Maud to the historians of our state. There may they read of Maud her strange escapes, when avoiding death, by being believed dead, (otherwise she had proved in her grave, if not pretended in a coffin,) when getting out in white linen, under the protection of snow[n]: I say, how afterwards both king Stephen and Robert

[m] Willielm. Malms. f. 103. Paris, an. 1139. sq. Gul. Neubrig. i. 9, 10.]

[n] [Trivet. I. 9, 10, 11. Mat.

earl of Gloucester were taken prisoners, and given in exchange, the one for the liberty of the other; with many such memorable passages the reader may stock himself from the pens of the civil historians, the proper relators thereof. A.D. 1141. 6 Stephen.

45. It is strange to conceive how men could be at leisure in the troublesome reign of king Stephen to build and endow so many religious foundations. Except any will say, that men being (as mortal in peace) most dying in war, the devotions of those days (maintaining such deeds meritorious for their souls) made all in that martial age most active in such employments. Not to speak of the monastery of St. Mary de Pratis, founded by Robert earl of Leicester[p], and many others of this time: the goodly hospital of St. Katharine's nigh London was founded by Maud wife to king Stephen, though others assign the same to Robert bishop of Lincoln, as founder thereof[q]. So stately was the choir of this hospital, that it was not much inferior to that of St. Paul's in London, when taken down in the days of queen Elizabeth by Dr. Thomas Wilson, the master thereof, and secretary of state[r]. Why plenty of religious foundations in these martial days. A.D. 1144.

46. Yea, king Stephen himself was a very great founder. St. Stephen was his tutelary saint, (though he never learned his usurpation from the patient example of that martyr,) whose name he bore, on whose day he was crowned, to whose honour he erected St. Stephen's chapel in Westminster, near the place where lately the court of request was kept. He built also the Cistercian's monastery in Fever- Religious houses founded by king Stephen.

p [R. de Bossu.]

q [Robert de Chesney. See other instances in Gul. Neubrig. i. 14, 15, 16.]

r Stow's Survey of London, p. 117.

A.D. 1144. 9 Stephen.

sham; with an hospital near the west gate in York. And whereas formerly there were paid out of every plough-land in England, betwixt Trent and Edinburgh-Frith, twenty-four oat sheaves for the king's hounds[s]; Stephen converted this rent-charge to his new built hospital in York. A good deed no doubt; for though it be unlawful *to take the children's bread and to cast it unto the dogs*[t], it is lawful to take the dog's bread, and to give it unto the children.

A.D. 1150. The constancy of Theobald archbishop of Canterbury.

47. The king being desirous to settle sovereignty on his son Eustace, earnestly urged Theobald archbishop of Canterbury to crown him[v]. For Stephen saw that fealty, barely sworn to Maud in her father's lifetime, was afterwards broken: and therefore, (his own guilt making him the more suspicious,) for the better assurance of his son's succession, he would go one step further, endeavouring to make him actual king in his own lifetime. But the archbishop stoutly refused, though proscribed for the same, and forced to fly the land, till after some time he was reconciled to the king.

The seasonable

48. Eustace the king's son died of a phrensy, as

[s] Stow's Chron. p. 146, 148. Of the foundation of Feversham, see the Monasticon, I. 687.]

[t] Mark vii. 27.

[v] [Eustace was not Stephen's only son, as our author appears to think. He had another named William, who did homage to Henry by his father's order, and to whom, in 1157, Henry II. gave the same lands which Stephen his father held under Henry I., in return for the castles of Pevensey and Norwich, which this William possessed. See Trivet. I. 34. Besides this son, he had a daughter, named Mary, abbess of Romsey, who was in 1160 married to Matthew son of the earl of Flanders. ib. 39. The alliance of Eustace with France, he having married Constance, a sister of that king, and his own high spirit and courage, prevented Stephen from entering into any agreement with Henry. Gul. Neubrig. i. 30. ii. 10.]

going to plunder the lands of Bury-abbey[w]. A death untimely in reference to his youthful years, but timely and seasonably in relation to the good of the land. If conjecture may be made from his turbulent spirit, coming to the crown he would have added tyranny to his usurpation. His father Stephen begins now to consider, how he himself was old, his son deceased, his subjects wearied, his land wasted with war: which considerations, improved by the endeavours of Theobald archbishop of Canterbury, and God's blessing on both, produced an agreement between king Stephen and Henry duke of Normandy, the former holding the crown for his life, and after his death settling the same on Henry, his adopted son and successor[x]. A.D. 1152. 17 Stephen. death of prince Eustace. A.D. 1153.

49. We have now gotten, (to our great credit and comfort no doubt,) an Englishman pope; namely, Nicholas Breakspeare, *alias* Adrian the Fourth. Born, saith my author[y], nigh Uxbridge in Middlesex, of the ancient and martial family of the Breakspeares; though others make him no better than a bastard of an abbot of St. Alban's[z]. The abbot of An Englishman pope.

[w] Mat. Paris, s. a. [Trivet. I. 22.]

[x] [See the charter of their convention in Rymer's Fœd. I. 18. (ed. 1816.)

[y] Camden in Middlesex, [p. 302.]

[z] Bale's Acts of the English Votaries, [part II. f. 85. ed. 1551. Nicholas Breakspeare was elected to the popedom 17 Dec. 1154, in the first year of the reign of Henry II., according to Gul. Neubrig. ii. 6. (See also Trivet. I. 24.) According to Mat. Paris, himself a monk of St. Alban's, in his history of the abbots of that church, this Nicholas was born at Langley, not far from the abbey of St. Alban's, and was the son of Robert de Camera, who retired from the world in the infancy of his son, and became a monk of St. Alban's, (qui honeste vivens, in sæculo literatus aliquantulum, habitum religionis in domo S. Albani suscepit, p. 70.) The father, desirous that Nicholas should be admitted into the cloister, addressed himself to

A.D. 1153. 18 Stephen. which convent he confirmed the first, in place of all in England. If I miscount not, we never had but four popes and a half (I mean cardinal Pool, pope elect) of our nation. And yet of them, one too many, will the papists say, if pope Joan, as some esteem her, were an Englishwoman. Yea, lately (the elected following the plurality of the electors) they have almost engrossed the papacy to the Italians. Our Adrian had but bad success, choked to death with a fly in his throat[a]. Thus any thing next nothing, be it but advantageously planted, is big enough to batter man's life down to the ground.

Geffrey Monmouth defended. 50. Geffrey ap Arthur (commonly called from his native place, Geffrey of Monmouth) was now bishop of St. Asaph[b]. He is the Welsh Herodotus, the

his superior for that purpose, who granted his request, on condition that his son should be found competent. "Qui "cum examinatus et insuf- "ficiens inveniretur, dixit ei "abbas satis civiliter; 'Ex- "pecta, fili, et adhuc scholam "exerce; ut aptior habearis.' "Unde ipse clericus verecun- "dus reputans talem dilatio- "nem repulsam, abiit; et Pa- "risios adiens, ibique scholaris "vigilantissimus effectus om- "nes socios discendo superа- "vit." ib. p. 66. He was afterwards made canon, and subsequently abbot of St. Rufus near Valence. Afterwards obtaining a great reputation for prudence and learning in three several embassies upon which he was sent to Rome, and for his missionary labours in converting the Norwegians, he was made bishop of Albania upon the vacancy of that see (Mat. Paris, ib. 70.), and a cardinal by Eugenius III. Upon the death of Anastasius IV. he was raised to the popedom, and died 1160. Gul. Neubrig. ii. 9. See also Hist. Maj. 91, and Trivet. I. 25. John of Salisbury has detailed a very interesting conversation which he held with this pope, (when he resided three months with him at Beneventum,) upon the abuses of the popes and the church of Rome. Policraticus, vi. 24.]

[a] [But according to Mat. Paris, ib. p. 74, he was poisoned because he refused, from conscientious motives, to give a bishopric to the son of a powerful Roman citizen.]

[b] [He was elected a. 1151. For some account of him, see M. Paris, in an., and Gul. Neubrigens. in præf. Hist.]

father of ancient history and fables; for, he who will have the first, must have the latter. Polydore Virgil accuseth him of many falsehoods, (so hard it is to halt before a cripple,) who, notwithstanding, by others is defended, because but a translator, and not the original reporter. For a translator tells a lie in telling no lie, if wilfully varying from that copy which he promiseth faithfully to render. And if he truly translates what he finds, his duty is done, and is to be charged no further. Otherwise the credit of the best translator may be cracked, if himself become security for the truth of all that he takes on trust from the pens of others. A.D. 1153. 18 Stephen.

51. King Stephen ended his troublesome life[c]. A prince, who if he had come in by the door, the best room in the house had not been too good to entertain him. Whereas now the addition Usurper (affixed generally to his name) corrupts his valour into cruelty, devotion into hypocrisy, bounty into flattery and design. Yet, be it known to all, though he lived an usurper, he died a lawful king; for what formerly he held from the rightful heir by violence, at his death he held under him by a mutual composition. He was buried with his son and wife at Feversham in Kent, in a monastery of his own building[d]. At the demolishing whereof, in the reign of king Henry the Eighth, some, to gain the lead wherein he was wrapped, cast his corpse into the sea[e]. Thus sacrilege will not only feast on gold and silver, but (when sharp set) will feed on meaner metals. A.D. 1154. The death of king Stephen.

52. Henry the Second succeeded him, known by Sobriquets what they were.

[c] [Mat. Paris, and Trivet. in an.]

[d] [Built by his wife Maud, according to Trivet. I. 24. Symeon. ib. 280, but by Stephen, according to Gul. Neubrigens. i. 32.]

[e] Stow's Chron. 148.

A.D. 1155. 1 Hen. II. a triple surname, two personal and ending by himself, Fitz-empress and Shortmantle; the other hereditary, fetched from Geffrey his father, and transmitted to his posterity, Plantagenet, or Plantaganest[f]. This name was one of the sobriquets or penitential nick-names which great persons about this time, posting to the holy war in Palestine, either assumed to themselves, or had by the pope or their confessors imposed upon them, purposely to disguise and obscure their lustre therewith. See more of the same kind:

i. Berger, a shepherd.
ii. Grise-Gonelle, greycoat.
iii. Teste d' Estoupe, head of tow.
iv. Arbust, a shrub.
v. Martel, a hammer.
vi. Grand-Bœufe, ox-face.
vii. La-Zouch, a branch upon a stem.
viii. Houlet, a sheephook.
ix. Hapkin, a hatchet.
x. Chapell, a hood.
xi. Sans-terr, lack-land.
xii. Malduit, ill-taught.
xiii. Juvencas, Geffard, or heifer.
xiv. Fitz de Flaw, son of a flail.
xv. Plantagenist, stalk of a broom.

Thus these great persons accounted the penance of their pilgrimage, with the merit thereof, doubled, when passing for poor inconsiderable fellows, they denied their own places and persons. But be it reported to others, whether this be proper, and kindly evangelical self-denial, so often commended to the practice of Christians. However some of

[f] Alias Plantagenist.

these by-names, assumed by their fanciful devotion, remained many years after to them and theirs; amongst which, Plantagenist was entailed on the royal blood of England. A.D. 1155. 1 Hen. II.

53. This king Henry was wise, valiant, and generally fortunate[g]. His faults were such as speak him man, rather than a vicious one. Wisdom enough he had for his work, and work enough for his wisdom, being troubled in all his relations. His wife queen Eleanor brought a great portion, (fair provinces in France,) and a great stomach with her; so that it is questionable, whether her froward spirit more drove her husband from her chaste, or Rosamond's fair face more drew him to her wanton embraces. His sons (having much of the mother in them) grew up, as in age, in obstinacy against him. His subjects, but especially the bishops, (being the greatest castle-mongers in that age,) very stubborn, and not easily to be ordered[h]. King Henry his character.

54. Meantime one may justly admire, that no mention in authors is made of, nor provisions for Maud the king's mother, (surviving some years after her son's coronation,) in whom during her life lay the real right to the crown. Yet say not king Henry's policy was little in preferring to take his title from an usurper by adoption, rather than from his own mother (the rightful heir) by succession, What became of Maud the empress.

[g] [See a description of his person and character by Peter of Blois, archdeacon of Bath, who was personally acquainted with the king, in his letter to Walter archbishop of Palermo, (Petri Blesens. Op. epist. 66.), quoted also by Trivet. I. 25. See also Neubrigens. iii. 26.]

[h] [The building of castles had grown to a great excess during the disturbances of Stephen's reign; after that prince had made a composition with Henry, he destroyed great part of them. Their number was eleven hundred and fifteen, according to M. Paris, a. 1153.]

A.D. 1155. 1 Hen. II. and his piety less, in not attending his mother's death; but snatching the sceptre out of her hand, seeing no writer ever chargeth him with the least degree of undutifulness unto her. Which leadeth us to believe that this Maud, worn out with age and afflictions, willingly waved the crown, and reigned in her own contentment, in seeing her son reign before her[i].

The body of the common law compiled.

55. Those who were most able to advise themselves, are most willing to be advised by others, as appeared by this politic prince. Presently he chooseth a privy council of clergy and temporalty, and refineth the common law; yea, towards the end of his reign began the use of our itinerant judges[k]. The platform hereof he fetched from France, where he had his education, and where Charles the Bald, some hundreds of years before, had divided his land into twelve parts, assigning several judges for administration of justice therein. Our Henry parcelled England into six divisions, and appointed three judges to

[i] [Yet Maud certainly enjoyed some degree of authority. For in the year 1155 the expedition for the conquest of Ireland was put off because she was not agreeable to it. See Trivet. I. 31. It is probable from the words of the same author, p. 24, that Maud waved her right in favour of her son. She did not die till Sept. 10, 1167. See Trivet. I. 50.]

[k] [It has been a general opinion, that *justices itinerant* were first appointed in the great council at Nottingham or Northampton, held 22 Hen. II. an. 1176. It is however proved from records in the exchequer (Mad. 96.), that there had been justices itinerant to hear causes in 18 Hen. I. The first appointment of them was probably made by Hen. I., in imitation of a similar institution introduced by Louis le Gros; that it fell into disuse in the troublous reign of Stephen, and was revived and fixed by Hen. II. See Reeve's Hist. of English Law, I. 54. Gul. Neubrigens. also seems by his language to attribute the revival only, and not the origin of these institutions to Henry. Hist. Angl. ii. 1.]

every circuit, annually to visit the same. Succeeding kings (though changing the limits) have kept the same number of circuits; and let the skilful in arithmetic cast it up, whether our nation receiveth any loss, by the change of three judges every year, according to Henry the Second's institution, into two judges twice a year, as long since hath been accustomed. A.D. 1155. 1 Hen. II.

56. The laws thus settled, king Henry cast his eye on the numerous castles in England. As a good reason of state formerly persuaded the building, so a better pleaded now for the demolishing of them[1]. William the Conqueror built most of them, and then put them into the custody of his Norman lords, thereby to awe the English into obedience. But these Norman lords in the next generation, by breathing in English air, and wedding with English wives, became so perfectly Anglized, and lovers of liberty, that they would stand on their guard against the king on any petty discontentment. If their castles (which were of proof against bows and arrows, the artillery of that age) could but bear the brunt of a sudden assault, they were privileged from any solemn siege, by their meanness and multitude, as whose several beleaguerings would not compensate the cost thereof. Thus as in foul bodies, the physic in process of time groweth so friendly and familiar A.D. 1156. Castles demolished.

[1] [Trivet. I. 28. Among other means employed by Henry to reduce these castles and strongholds, he commanded all who held any of the royal domains to produce their charters which they had procured from his predecessor, and then seized them into his own hands on the plea that grants made by an invader were null and void: "quoniam "chartæ invasoris juri legitimi "principis præjudicium facere "minime debuerunt." Gul. Neubrig. ii. 2.]

A.D. 1156. 2 Hen. II. with the disease, that they at last side together, and both take part against nature in the patient; so here it came to pass, that these castles, intended for the quenching, in continuance of time occasioned the kindling of rebellion. To prevent further mischief, king Henry razed most of them to the ground, and secured the rest of greater consequence into the hands of his confidents. If any ask how these castles belong to our Church-history, know that bishops of all in that age were the greatest traders in such fortifications.

Thomas Becket lord chancellor of England. 57. Thomas Becket, born in London, and (though as yet but a deacon) archdeacon of Canterbury, doctor of canon law, bred in the universities of Oxford, Paris, Bononia, was by the king made lord A.D. 1157. chancellor of England. During which his office, who braver than Becket? None in the court wore more costly clothes, mounted more stately steeds, made more sumptuous feasts, kept more jovial company, brake more merry jests, used more pleasant pastimes[m]. In a word, he was so perfect a layman, that his parsonages of Bromfield, and St. Mary-hill in London, with other ecclesiastical cures, whereof he was pastor, might even look all to themselves, he A.D. 1158. taking no care to discharge them. This is that Becket whose mention is so much in English, and miracles so many in popish writers. We will contract his acts in proportion to our history, remitting the reader to be satisfied in the rest from other authors.

His great reformation being made 58. Four years after, upon the death of Theobald, Becket was made by the king archbishop of Canter-

[m] [Trivet. I. 34. Gul. Neubrig. ii. 16. He had also a prebend in St. Paul's, and at Lincoln. Stephanides, p. 12, 14.]

bury[n]. The first Englishman since the Conquest (and he but a mongrel, for his mother was a Syrian[o], the intercourse of the holy war in that age making matches betwixt many strangers) who was preferred to that place. And now (if the monks their writing his life may be believed) followed in him a great and strange metamorphosis[p]. Instantly his clothes were reformed to gravity, his diet reduced to necessity, his company confined to the clergy, his expenses contracted to frugality, his mirth retrenched to austerity; all his pastimes so devoured by his piety, that none could see the former chancellor Becket in the present archbishop Becket. Yea, they report, that his clothes were built three stories high; next his skin he was a hermit, and wore sackcloth; in the mid he had the habit of a monk; and above all wore the garments of an archbishop. Now, that he might the more effectually attend his archiepiscopal charge, he resigned his chancellor's place, whereat the king was not a little offended. It added to his anger, that his patience was daily pressed with the importunate petitions of people complaining that Becket injured them. Though generally, he did but recover to his church such possessions as by their covetousness, and his predecessors' connivance, had formerly been detained from it.

A. D. 1162. 8 Hen. II. archbishop of Canterbury.

[n] [Theobald died April 18, 1161, according to Trivet. I. 41. Thomas a Becket was elected to Canterbury 1162. ib. 42. See Gul. Neubrigens. ii. 12 and 16. M. Paris, in an.]

[o] [A very romantic account of his mother is told in the Quadrilogus, chap. 2. Yet William Stephanides describes Becket himself (in his Epist. p. 167.) and his parents as respectable citizens of London. Vita S. Thomæ, p. 10, and this writer deserves much credit; being, as he says, concivis, clericus, et convictor of Thomas a Becket; his adviser when chancellor, subdeacon of his chapel, his reader and amanuensis, the advocate in his causes, and an eye-witness of his passion. Ib. p. 1.]

[p] [Stephanides, p. 24. Mat. Paris, a. 1162. Trivet. I. 42.]

A.D. 1162. 8 Hen. II.

A stubborn defender of the vicious clergy against secular magistrates.

59. But the main matter incensing the king against him was, his stubborn defending the clergy from the secular power: and particularly (what a great fire doth a small spark kindle!) that a clerk, having killed and stolen a deer, ought not to be brought before the civil magistrate for his punishment. Such impunities breeding impieties, turned the *house of God into a den of thieves:* many rapes, riots, robberies, murders, were then committed by the clergy. If it be rendered as a reason of the viciousness of Adonijah, that his father never said unto him, *Why dost thou so*[q]? No wonder if the clergy of this age were guilty of great crimes, whom neither the king nor his judges durst call to an account. And seeing ecclesiastical censures extend not to the taking away of life or limb, such clerks as were guilty of capital faults were either altogether acquitted, or had only penance inflicted upon them; a punishment far lighter than the offence did deserve. Indeed, it is most meet in matters merely ecclesiastical, (touching the word and sacraments,) clergymen be only answerable for their faults to their spiritual superiors, as most proper, and best able to discern and censure the same. And in cases criminal, it is unfit that ministers should be summoned before each proud, pettish, petulant, pragmatical, secular under officer. However, in such causes to be wholly exempted from civil power, is a privilege which with reason cannot be desired of them, nor with justice indulged unto them. Sure I am, Abiathar (though high-priest) was convented before, and deposed by Solomon for his practising of treason. And St. Paul saith, *Let every soul be subject to the higher powers*[r].

[q] 1 Kings i. 6.

[r] Rom. xiii. 1. [The evils produced by the dissensions in Stephen's time had not yet

60. To retrench these enormities of the clergy, the king called a parliament at Clarendon near Salisbury, (and not in Normandy, as Mr. Fox will have it,) intending, with the consent of his great council, to confirm some severe laws of his grandfather king Henry the First. To these laws, sixteen in number[s], Becket, with the rest of the bishops, consented and subscribed them. But afterwards recanting his own act, renounced the same. Let not therefore the crime of inconstancy be laid too heavily to the charge of archbishop Cranmer, first subscribing, then revoking popish articles presented unto him: seeing this his namesake Thomas, and predecessor Becket, without any stain to his saintship, retracted his own act, upon pretence of better information. But so

A. D. 1165. 11 Hen. II.

He incurs the king's displeasure.

ceased; they had secularized the clergy; and the licentiousness of the late reign which had diffused itself among all classes, though now checked in the laity by the severity and judicial enactments of Henry, was still fatally spreading uncontrolled among the clergy. The bishops, according to Gul. Neubrigens. (a writer whose judgment and candour are unquestionable), were more industrious in defending the privileges, than in correcting the vices of the clergy, conceiving that they did their duty to God and the church by supporting their order against the secular arm, whilst they neglected to restrain their vices with the rigour of ecclesiastical discipline. The picture this writer draws of the times is appalling: "Regi "circa curam regni satagenti "et malefactores sine delectu "exterminari jubenti a judi- "cibus intimatum est, quod "multa contra disciplinam "publicam, scilicet furta, ra- "pinæ, homicidia, a clericis "sæpius committerentur, ad "quos scilicet laicæ non pos- "set jurisdictionis vigor ex- "tendi. Denique ipso audi- "ente declaratum dicitur, plus- "quam centum homicidia intra "fines Angliæ a clericis sub "regno ejus commissa." Hist. Ang. ii. 16. See also Stephanides, p. 28. Although the zeal of the king in correcting these abuses, in which he was encouraged by Becket, may have exceeded the bounds of moderation, it was hardly befitting in Becket, however upright his intentions, to screen from civil punishment offences committed by the clergy against the civil power.]

[s] See them at large in Mat. Paris, in an. [Wilkins, I. 435.]

A.D. 1165. 11 Hen. II.

highly was Becket offended with himself for his subscription, that, in revenge, for some months he suspended himself from all divine service, (his pride and laziness both before and after suspended him from ever preaching,) and would not be present thereat. Hereafter let none hope for more favour from this archbishop than their fact may deserve; seeing he cannot rationally be expected to be courteous to others who was so severe unto himself. The best was, in this his suspension the knot was not tied so hard as to hurt him; who, in case of necessity, as he had bound, so he could loose himself: though, for the more state of the matter, pope Alexander himself was pleased solemnly to assoil him from his suspension[t]. Meantime Becket, both in his suspension and absolution, most highly offended king Henry, who every day the more was alienated from, and incensed against him.

The vanity of Becket's path.

61. During Becket's abode about Clarendon, he is reported every morning to have walked from his lodging some miles to the king's palace. Where the ground, say they, called Becket's path, at this day presenteth itself to the eyes of the beholders, (but most quick-sighted, if looking through popish spectacles,) with the grass and grain growing thereon in a different hue and colour from the rest. A thing having in it more of report than truth; yet more of truth than wonder: the discolorations of such veins of earth being common in grounds elsewhere, which never had the happiness of Becket his feet to go upon them.

He flieth beyond sea

62. But oh! if Becket's feet had left but the like

[t] Fox his Mon., see the letter at large, I. 269. [Mat. Paris, a. 1164.]

impression in all the ways he went, how easy had it been for all men's eyes, and particularly for our pen, to have tracked him in all his travels! Who, not long after, without the consent of the king, took ship, sailed into Flanders, thence travelled into the southern parts of France, thence to Pontiniac, thence to Senes, abiding seven years in banishment. But though he served an apprenticeship in exile, he learned little humility thereby, only altering his name (for his more safety) from Becket to Derman; but retaining all his old nature, remitting nothing of his rigid resolutions.

A. D. 1165. 11 Hen. II. without the king's consent.

63. Now, to avoid idleness, Becket, in his banishment variously employed himself. First, in making and widening breaches between Henry his native sovereign, and Lewis the French king. Secondly, in writing many voluminous letters of expostulation to princes and prelates[v]. Thirdly, in letting fly his heavy excommunications against the English clergy; namely, against Roger archbishop of York; Gilbert Foliot bishop of London (a learneder man than himself); Joceline bishop of Salisbury, and others. His chief quarrel with them was their adherence to the king; and particularly, because the archbishop presumed to crown Henry the king's son (made joint king in the life of his father), a privilege which Becket claimed, as proper to himself alone. Fourthly, in receiving comfort from, and returning it to pope Alexander at Beneventum in Italy. Sameness of affliction bred sympathy of affection betwixt them, both being banished; the pope by Frederic Barba-

How employed in his banishment.

[v] See them exemplified at large in Stapleton, De Tribus Thomis, [p. 61. sq. ed. 1612.]

A. D. 1167. 13 Hen. II. rossa the emperor, for his pride and insolency[w]: as our Becket smarted for the same fault from king Henry. Here also Becket solemnly resigned his archbishopric to the pope, as troubled in conscience that he had formerly took it as illegally from the king, and the pope again restored it to him, whereby all scruples in his mind were fully satisfied[x].

A. D. 1170. Is reconciled to the king. 64. But afterwards by mediation of friends Becket's reconciliation was wrought, and leave given him to return into England[y]. However, the king still retained his temporals in his hand, on weighty considerations. Namely, to show their distinct nature from the spirituals of the archbishopric, to which alone the pope could restore him: lay-lands being separable from the same, as the favour of secular princes: and Becket's bowed knee must own the king's bountiful hand before he could receive them. Besides, it would be a caution for his good behaviour.

[w] [The emperor supported the claims of Victor the antipope. See Gul. Neubrigens. ii. 9.]

[x] [This also he appears to have done, though secretly, when present at the council of Tours in 1163. See Gul. Neubrigens. ii. 16.]

[y] [Trivet. I. 55. This reconciliation took place at the instance of the pope and the king of France in 1170, seven years after Becket's exile, Gul. Neubrigens. ii. 25. The archbishop's conduct was most ungenerous. In his absence, Roger archbishop of York, attended by others of the bishops, consecrated, at the king's desire, his eldest son prince Henry. Enraged at this breach of privilege, Becket secretly procured letters from the pope, suspending the bishops from their function who had assisted at the ceremony. Immediately after his reconciliation with the king, which took place at Gisors in Normandy, before the archbishop could reach England he sent forward those letters, which were instantly put in execution, and the bishops suspended. Disgusted at this stubbornness and want of temper on Becket's part, the king uttered some hasty words, which led to the catastrophe mentioned in the text. See Gul. Neubrigens. ii. 25.]

65. *Cœlum non animum.* Travellers change climates, not conditions. Witness our Becket, stubborn he went over, stubborn he stayed, stubborn he returned. Amongst many things which the king desired and he denied, he refused to restore the excommunicated bishops, pretending he had no power, (indeed he had no will,) and that they were excommunicate by his holiness. Yea he, instead of recalling his old, added new excommunications; and that thunder which long before rumbled in his threatenings, now gave the crack upon all those that detained his temporal revenues. Roger Hoveden reports[z], that upon Christmas-day (the better day the better deed) he excommunicated Robert de Broc, because the day before he had cut off one of his horses' tails. Yea he continued and increased his insolence against the king and all his subjects. A. D. 1170. 16 Hen. II. Returns as obstinate as he went over.

66. Here the king let fall some discontented words, which instantly were catched up in the ears of some courtiers attending him[a]. He complained that never sovereign kept such lazy subjects and servants, neither concerned in their king's credit, nor sensible of his favours conferred on them, to suffer a proud prelate so saucily to affront him. Now a low hollow, and a less clap with the hand, will set fierce dogs on worrying their prey. A quaternion of courtiers being present; namely, Is slain by fourknights in his own church.

i. Sir Richard Breton, of which name (as I take it) a good family at this day is extant in Northamptonshire.

ii. Sir Hugh Morvile of Kirk-Oswald in Cumberland, where his sword wherewith he slew Becket

[z] [Annales, f. 298.] [a] [Trivet, ib. Stephanides, 78.]

A.D. 1170. 16 Hen. II. was kept a long time in memorial of his fact[b]. His family at this day extinct.

iii. Sir William Tracey, whose heirs at this day flourish in a worthy and worshipful equipage at Todington in Gloucestershire.

iv. Sir Reginald Fitz-Urse, or, Bear's-son[c]. His posterity was afterwards men of great lands and command in the county of Monaghan in Ireland, being there called Mac-mahon, which in Irish signifieth the "son of a bear[d]."

These four knights, applying the king's general reproof to themselves, in their preproperous passions misinterpreted his complaint, not only for Becket's legal condemnation, but also for their warrant for his execution. Presently they post to Canterbury, where they find Becket in a part of his church, (since called the martyrdom,) who, though warned of their coming, and advised to avoid them, would not decline them, so that he may seem to have more mind to be killed than they had to kill him. Here happened high expostulation, they requiring restitution of the excommunicated bishops[e]; whose peremptory demands met with his pertinacious denials, as then not willing to take notice of Solomon his counsel, *A soft answer pacifieth wrath*[f]. Brawls breed blows, and all four falling upon him, with the help of the fifth, an officer of the church called Hugh, the ill-clerk, each gave him a wound, though that with the sword dispatched him, which cut off his crown from the rest of his head[g].

[b] Camd. Brit. in Cumberland, p. 640.

[c] Others call him Walter. See Camd. Brit. in Ireland, p. 764.

[d] [Camden, ibid.]

[e] [Gul. Neubrigens, ii. 25.]

[f] Prov. xv. 1.

[g] [Their intention at first was not to have killed the

67. A barbarous murder, and which none will go about to excuse, but much heightened both by the prose and poetry (good and bad) of popish writers in that age. Of the last and worst sort, I account that distich (not worthy the translating) one verse whereof, on each leaf of the door of Canterbury choir, is yet legible in part; A.D. 1170. 16 Hen. II. Various censures on his death.

Est sacer intra locus, venerabilis atque beatus,
Præsul ubi sanctus Thomas est martyrizatus [h].

But if he were no truer a martyr than *martyrizatus* is true position, his memory might be much suspected. More did the muses smile on the author of the following verses,

Pro Christi sponsa, Christi sub tempore, Christi
In templo, Christi verus amator obit.
Quis moritur? Præsul. Cur? Pro grege. Qualiter? Ense.
Quando? Natali. Quis locus? Ara Dei.

For Christ his spouse, in Christ's church, at the tide
Of Christ his birth, Christ his true lover died.
Who dies? A priest. Why? For's flock. How? By the sword.
When? At Christ's birth. Where? Altar of the Lord.

Here I understand not how properly it can be said,

archbishop, evidently, as they entered without arms, but to compel him by threats and expostulations to remove the sentence of excommunication which he had laid upon the bishops, as a punishment undeserved by them, and a great indignity to the king. Their persuasions were vain, and served only to heighten their passion, upon which they rushed out, resolved to find arms, and to slay the prelate. In the interval Becket was carried by his friends into the church, with the hope that the sanctity of the place would protect him. It was the time when the monks were chanting the evening service, and just before the archbishop was preparing to celebrate vespers (sacrificium vespertinum), when they fell upon him, and murdered him before the altar. This happened upon Christmas day (in ipsis Christi natalitiis). Gul. Neubrigens. ii. 25.]

[h] William Somner in his Antiquities of Canterbury, p. 166.

A.D. 1170. 16 Hen. II.

that Becket died *pro grege*, "for his flock." He did not die for feeding his flock, for any fundamental point of religion, or for defending his flock against the wolf of any dangerous doctrine; but merely he died for his flock; namely, that the sheep thereof (though ever so scabbed) might not be dressed with tar and other proper (but sharp and smarting) medicines. I mean, that the clergy might not be punished by the secular power for their criminal enormities. Sure I am, a learned and moderate writer of that age passeth this character upon him: *Quæ ab ipso acta sunt—laudanda nequaquam censuerim, licet ex laudabili zelo processerint*[i]. "Such things as were "done by him, I conceive not at all to be praised, "though they proceeded from a laudable zeal." But Stapleton calls this his judgment: *Audacis monachi censura non tam politica, quam plane ethnica*, "The "censure of a bold monk, not so much politic as "heathenish[j]." Should another add of Stapleton, that this his verdict is the unchristian censure of a proud and partial Jesuit, railing would but beget railing, and so it is better to remit all to the *day of the revelation of the righteous judgment of God*[k].

The heavy penance performed by king Henry.

68. Now king Henry, though unable to revive Becket, shewed as much sorrow himself for his death as a living man could express; and did the other as much honour as a dead man could receive[l].

[i] Gulielmus Neubrigensis, [ii. 15.]

[j] In tribus Thomis, [p. 37.]

[k] Rom. ii. 5.

[l] [The king was acquitted of all guilt by the two legates of the pope, who in 1172 arrived at Caen in Normandy with a commission to investigate this murder. "Et ideo "de mandato summi pontificis "post purgationem canonicam "acceptam, publice sententia- "verunt regem ab hoc cri- "mine innoxium esse coram "Deo et hominibus." Trivet. I. 58. See also Gul. Neubrig. ii. 25.]

First, searching after all his kindred, (as most capable of his kindness,) he found out his two sisters. One Mary, a virgin, not inclinable to marry, whom he preferred abbess of the rich nunnery of Berking. His other nameless sister, being married to one of the Le Botelers, or Butlers, he transplanted, with her husband and children, into Ireland[m], conferring upon them high honours and rich revenues; from whom the earls of Ormond are at this day descended. He founded also the magnificent abbey called Thomas-Court in Dublin[n], (in memory of the said Thomas Becket, and expiation of his murder,) beautifying the same with fair buildings, and enriching it with large possessions. Nor did only the purse, but the person of king Henry do penance. Who walking some miles barefoot, suffered himself to be whipped on the naked back by the monks of Canterbury[o]. As for the four knights who murdered him, the pope pardoned them, but conditionally, to spend the rest of their lives in the holy war, (where the king, as part of his penance enjoined by the pope, maintained two hundred men for one year on his proper charges,) to try whether they could be as courageous in killing of Turks, as they had been cruel in murdering a Christian.

A.D. 1170. 16 Hen. II.

A.D. 1174.

69. And now, being on this subject, once to dispatch Becket out of our way, just a jubilee of

Becket after fifty years enshrined.

[m] Camden's Brit. in Ireland, p. 743.

[n] Idem, p. 751.

[o] [Trivet. I. 65. Henry did penance at the shrine of Becket about 1174, apparently troubled by a scruple of conscience, or desirous to attribute (in order to remove odium) the cares and difficulties which then surrounded him, from the disobedience of his sons and rebellions of his nobles, to his participation in Becket's death. See an amusing account of this penance, and the effect which it produced, in Gul. Neubrigens. ii. 34.]

A.D. 1174. 20 Hen. II.

years after his death, Stephen Langton, his mediate successor, removed his body from the under-croft in Christ Church, where first he was buried, and laid him at his own charge in a most sumptuous shrine at the east end of the church. Here the rust of the sword that killed him was afterwards tended to pilgrims to kiss[p]. Here many miracles were pretended to be wrought by this saint, in number two hundred and seventy[q]. They might well have been brought up to four hundred, and made as many as Baal's lying prophets: though even then, one prophet of the Lord, one Micaiah, one true miracle were worth them all.

The blind superstition of people.

70. It is almost incredible what multitudes of people flocked yearly to Canterbury, (which city lived by Becket's death,) especially on his jubilee, or each fifty years after his enshrining. No fewer than an hundred thousand (we find it at words in length, and therefore a cipher is not mistaken) of English and foreigners repaired thither[r]. And, though great the odds in hardness between stones and flesh, there remains at this day in the marble the prints of their superstition who crept and kneeled to his shrine. The revenues whereof by people's offerings amounted to more than six hundred pounds a year. And the same accomptant, when coming to set down what then and there was offered to Christ's, or the high

[p] Erasmi Colloquia in Dialog. 1. Religionis ergo, [p. 330. ed. 1668. This dialogue contains a most amusing description of the shrine of Thomas a Becket, and the ceremonies used by those who went upon a pilgrimage to it. Erasmus doubtless narrates what he himself had witnessed.]

[q] Fox, Acts and Mon. p. 493. [An account of his miracles is prefixed to his Epistolæ, &c., p. 143, by Ch. Lupus. Bruxellis, 1682.]

[r] Wil. Somner ut prius, p. 249.

altar, dispatcheth all with a blank, *summo altari nil.* A.D. 1174. 20 Hen. II.
Yea, whereas before Becket's death the cathedral in Canterbury was called Christ's Church, it passed afterwards for the church of St. Thomas; verifying therein the complaint of Mary Magdalene, "sustu- "lerunt Dominum," *They have taken away the Lord*[s]. Though since, by the demolishing of Becket's shrine, the church (and that justly) hath recovered its true and ancient name.

[s] John xii. 13.

SECT. II.

DOMINO

JOANNI WYRLEY,

DE WYRLEY-HALL,

IN COM. STAFFORD, EQUITI AURATO.[a]

Lex Mahometica jubet, ut Turcarum quisque mechanicæ arti incumbat. Hinc est, quod, vel inter Ottomanicos imperatores, hic faber, ille sartor, hic totus est in baltheorum bullis, ille in sagittarum pennis concinnandis, prout quisque sua indole trahatur[b].

Lex mihi partim placet, partim displicet. Placet industria, ne animi otii rubigine obducti sensim torpescerent. Displicet ingenuas mentes servili operi damnari, cum humile nimis sit et abjectum.

At utinam vel lex, vel legis æmula consuetudo, inter Anglos obtineret, ut nostrates nobiles, ad unum omnes, meliori literaturæ litarent. Hoc si fiat uberrimos fructus respublica perceptura esset ab illis, qui nunc absque musarum cultu penitus sterilescunt.

Tu vero, doctissime miles, es perpaucorum hominum, qui ingenium tuum nobilitate premi non sinis, sed artes

[a] [Arms. Argent, three bugle horns sab. stringed vert. two and one. Sir John Wyrley of Wyrley-hall, Hampstead, county Suffolk, was the fourteenth in lineal descent of an ancient family seated there as early as the reign of Edward the First. He was son and heir to Humphry Wyrley, esq., and, according to a memorandum certified by himself in the county visitation, 1663, was born on the 12th of April 1607. He received the honour of knighthood from king Charles the First at Whitehall June 4, 1641, and married Mary, daughter of sir Francis Wolley of Preston, county Surrey, knight.]

[b] Edw. Sandys in suis peregrinationibus.

ingenuas, quas Oxonii didicisti juvenis, vir assidue colis. Gestit itaque liber noster te patrono; quo non alter aut in notandis mendis oculatior, aut in condonandis clementior.

EVEN amongst all the stripes given him since the death of Becket, none made deeper impression in king Henry's soul, than the undutifulness of Henry his eldest son, whom he made (the foolish act of a wise king) joint king with himself in his lifetime[c]. And, as the father was indiscreet to put off so much of his apparel before he went to bed, so the son was more unnatural, in endeavouring to rend the rest from his back, and utterly to disrobe him of all regal power. The clergy were not wanting in their plentiful censures, to impute this mischance to the king, as a Divine punishment on Becket's death; that his natural son should prove so undutiful to him, who himself had been so unmerciful to his spiritual father[d]. But this rebellious child passed not unpunished. For as he honoured not his father, so his days were few in the land which the Lord gave him. And as he made little account of his own father, so English authors make no reckoning of him in the catalogue of kings. This Henry the Third being

A.D. 1174. 20 Hen. II.

The undutifulness of young king Henry.

[c] [The disobedience of Henry's sons was a just judgment upon himself for breaking the oath imposed upon him by his father in reference to his brothers. See Gul. Neubrigens. ii. 7. For an account of the rebellions of Henry's sons, see Gul. Neubrigens. ii. 27. sq. The nobles, and among the first, Thomas Becket, then chancellor, swore fealty to him, a. 1162. M. Paris, s. a. He was consecrated and crowned at London, during his father's lifetime, in 1170, by Roger archbishop of York, Thomas a Becket the archbishop of Canterbury being at that time in France, and not yet reconciled to the king. Gul. Neubrigens. ii. 25.]

[d] [See Gul. Neubrigens. iii. 25. p. 371.]

A.D. 1174. 20 Hen. II. wholly omitted, because dying during the life of his father.

Richard made archbishop of Canterbury.

2. But before this Henry's death, Richard prior of Dover, who divided Kent into three archdeaconries, was made archbishop of Canterbury[e]. Indeed the place was first proffered to Robert, abbot of Becco in Normandy, (sequents of three, if he had accepted it, Anselm, Theobald, and this Robert, who in the compass of seventy years out of the same abbey were made archbishops of Canterbury,) but he refused it, as ominous to succeed Becket in his chair, lest he should succeed him in his coffin; and preferred a whole skin before an holy pall. But Richard accepting the place, is commended for a mild and moderate man, being all for accommodation, and his temper the best expedient betwixt the pope and king; pleasing the former with presents, the latter with compliance[f]. This made him connive at Geffrey Plantagenet his holding the bishopric of Lincoln, though uncanonicalness on uncanonicalness met in his person. For first, he was a bastard. Secondly,

[e] [Trivet. I. 59.]

[f] [He was of so easy a temper, that Peter of Blois wrote him a letter expostulating with him for his remissness, as he terms it, but praising his innocence and humility. See Epist. Blesen. ep. 5. Trivet gives him this character: "Fuit iste "Ricardus vir magnæ religio- "nis et in exteriorum admini- "stratione industrius; sed in "corrigendis excessibus defen- "dendisque ecclesiæ libertati- "bus de nimia remissione no- "tatus: in tantum quod rex "qui eum specialiter diligebat "et contra turbatores ejus in "curia Romana se pro eo op- "ponebat ipsius incuriam ac "desidiam secreta tamen cor- "reptione dicitur arguisse." I. 64. According to the same author, he was the first person who procured the abolition of a custom which up to his time prevailed in England. If any one killed a person in holy orders, the church was satisfied merely with excommunicating the offender, and did not have recourse to the arm of the law ("materialis opem gladii non "quæsivit.") ib. I. 68. He held the see of Canterbury nine years, forty-five weeks, and five days. ib. 85.]

he was never in orders. Thirdly, he was under age; all which irregularities were answered in three words, The king's son. This was that Jeffery who used to protest by the royalty of the king his father, when a stander by minded him to remember the honesty of his mother[g]. A. D. 1174. 20 Hen. II.

3. A synod was called at Westminster, the pope's legate being present thereat; on whose right hand sat Richard archbishop of Canterbury, as in his proper place. When in springs Roger of York, and finding Canterbury so seated, fairly sits him down on Canterbury's lap, (a baby too big to be danced thereon,) yea, Canterbury his servants dandled this lap-child with a witness, who plucked him thence, and buffeted him to purpose[h]. Hence began the brawl which often happened betwixt the two sees for precedency; though hitherto we have passed them over in silence, not conceiving ourselves bound to trouble the reader every time these archbishop's troubled themselves. And though it matters as little to the reader as to the writer, whether Roger beat Richard, or Richard beat Roger; yet once for all, we will reckon up the arguments which each see alleged for its precedency[i]. A. D. 1176. The controversy betwixt Canterbury and York for precedency.

[g] [Trivet. I. 63. This Jeffrey, though elected, appears never to have been consecrated bishop of Lincoln. After he had held the see nine years, he relinquished it, and was made chancellor in 1182, (See Trivet. I. 82. Gul. Neubrigens. ii. 22.) chiefly for taking part with the king when his sons rebelled against him. Girald. Cambrensis in vit. in Ang. Sacr. II. 380. ibid. 418. Gul. Neub. ii. 27 and 32, and was afterwards appointed to York in the first year of his brother Richard's reign, that see having remained vacant for ten years from the avarice of Henry. Gul. Neubrigens. iv. 2. Hoveden and Gervasius in an.]

[h] [Gul. Neubrigens. iii. 1.]

[i] [The arguments for both sides are much more carefully and explicitly stated by Gul. Neub. v. 12.]

A. D. 1176. 22 Hen. II.

Canterbury's title.

1. No catholic person will deny but that the pope is the fountain of spiritual honour, to place and displace at pleasure. He first gave the primacy to Canterbury: yea, whereas the proper place of the archbishop of Canterbury in a general council was next the bishop of St. Ruffinus; Anselm and his successors were advanced by pope Urban to sit at the pope's right foot, as *alterius orbis papa*.

2. The English kings have ever allowed the priority to Canterbury. For a duarchy in the church (viz. two archbishops equal in power) being inconsistent with a monarchy in the state, they have ever countenanced the superiority of Canterbury, that the church government might be uniform with the commonwealth's.

3. Custom hath been accounted a king in all places, which time out of mind hath decided the precedency to Canterbury.

York's title.

1. When Gregory the Great made York and Canterbury archiepiscopal sees, he affixed precedency to neither, but that the archbishops should take place according to the seniority of their consecrations. Until Landfranc, chaplain to king William, (thinking good reason he should conquer the whole clergy of England, as his master had vanquished the nation,) usurped the superiority above the see of York.

2. If antiquity be to be respected, long before Gregory's time York was the see of an archbishop, whilst as yet pagan Canterbury was never dreamed of for that purpose. Lucius the first Christian Britain king, founding a cathedral therein, and placing Samson in the same, who had Taurinus, Pyrannus, Tadiacus, &c., his successors in that place.

3. If the extent of jurisdiction be measured, York, though the lesser in England, is the larger in Britain, as which at this time had the entire kingdom of Scotland subject thereunto; besides, if the three bishoprics, (viz. Worcester, Lichfield, Lincoln,) formerly injuriously taken from York, were restored unto it, it would vie English latitude with Canterbury itself.

This controversy lasted for many years; it was first visibly begun (passing by former private grudges) betwixt Landfranc of Canterbury, and Thomas of York, in the reign of the Conqueror, continued betwixt William of Canterbury and Thurstan of York, in the days of king Henry the First; increased betwixt Theobald of Canterbury and William of York at the coronation of Henry the Second, and now revived betwixt Richard of Canterbury and Roger of York with more than ordinary animosity[j]. A.D 1176. 22 Hen. II.

4. Some will wonder that such spiritual persons should be so spiteful, that they, who should rather have contended *de pascendis ovibus*, "which of them "should better feed their flocks," should fall out *de lana caprina*, about a toy and trifle, only for priority. Yet such will cease to wonder, when they consider how much carnality there was in the disciple's themselves: witness their unseasonable contest just before our Saviour's death, *quis esset major*[k], "which of "them should be the greater," when then the question should rather have been, *quis esset mœstior*, not who should be the highest, but who should be the heaviest for their departing Master. How much carnality in the most spiritual.

5. Here the pope interposed, and to end old divisions, made a new distinction, primate of all England, and primate of England, giving the former to Canterbury, the latter to York. Thus when two children cry for the same apple, the indulgent father divides it betwixt them, yet so that he giveth the bigger and better part to the child that is his darling. York is fain to be content therewith, though full ill against his will, as sensible that a secondary primacy is no The pope's decision gives final satisfaction.

j [See a treatise on the subject in the Ang. Sac. I. 65.]
k Luke xxii. 24.

A.D. 1176. 22 Hen. II.

primacy; and as one stomaching a superior as much as Canterbury disdained an equal. Yea, on every little occasion this controversy brake out again. The last flash which I find of this flame was in the reign of king Edward the First, when William Wickham, archbishop of York, at a council at Lambeth for reformation, would needs have his cross carried before him, which John Peckham archbishop of Canterbury would in no case permit to be done in his province. Wherefore the said Peckham inhibited all from selling victuals to him or his family, so hoping to allay his stomach by raising his hunger, and starve him into a speedy submission, which accordingly came to pass. Since York was rather quiet than contented, pleasing itself that as stout came behind as went before[1]. But at this day the clergy, sensible of God's hand upon them for their pride and other offences, are resolved on more humility, and will let it alone to the laity to fall out about precedency.

The far extended English monarchy in this king's reign.

6. To return to king Henry, never did the branches of the English monarchy sprout higher, or spread broader before or since, as in the reign of this king, so large and united his command, though in several capacities; for by right of inheritance from his mother Maud, he held England and the dukedom of Normandy; by the same title from his father, Jeffery Plantagenet, he possessed fair lands in Anjou and Maine; by match in right of queen Eleanor his wife, he enjoyed the dukedoms of Aquitane and Guienne, even to the Pyrenean mountains; by conquest he lately had subdued Ireland, leaving it to his successors annexed to the English dominions; and for a time

[1] Mr. Isaacson out of Florilegus, [i. e. Mat. Westmon.] in his Chronologie, anno 1279. [p. 454. ed. 1633.]

was the effectual king of Scotland, whilst keeping William their king a prisoner, and acting at pleasure in the southern parts thereof. The rest of Christendom he may be said to have held by way of arbitration, as *Christiani orbis arbiter*, so deservedly did foreign princes esteem his wisdom and integrity, that in all difficult controversies he was made umpire betwixt them. A. D. 1177. 23 Hen. II.

7. Yet all this his greatness could neither preserve him from death, nor make him, when living, happy in his own house; so that when freest from foreign foes, he was most molested in his own family, his wife and sons at last siding with the king of France against him, the sorrow whereat was conceived to send him the sooner to his grave[m]. I meet with this distich as parcel of his epitaph, Could not make him fortunate in his own family.

[m] [See his letter to the pope, A. D. 1173, imploring his assistance against the malice of his sons. Trivet. I. 62. Petri Blesen. epist. 136. In this letter he says, "Longe lateque "divulgata est meorum filio- "rum malitia, quos ita in exi- "tium patris spiritus iniquita- "tis armavit ut gloriam repu- "tent et triumphum patrem "persequi et filiales affectus "in omnibus diffiteri.——Et "quod sine lachrymis non dico "contra sanguinem meum et "viscera mea cogor odium "mortale concipere et extra- "neos mihi quærere succes- "sores, ne videam de semine "meo sedentem super thronum "meum. Illud præterea sub "silentio transire non possum, "quod amici mei recesserunt "a me et domestici mei quæ- "runt animam meam."

He was certainly exposed to much affliction. He was separated from his wife, who had joined his sons in their unnatural rebellion; which however is not surprising, since he neglected her bed, as Gul. Neubrigens. expresses it: "regina "pro tempore sufficienter usus "ad sobolem, ea desinente pa- "rere, sectando voluptatem "spurios fecit." iii. 26. (Pet. Blesens. ep. 154.), and detained her in custody for ten years (Trivet. I. 75, 97.). His sons, and particularly his second-born, Henry, was twice in rebellion against him, and died in 1183. "Mortem vero ejus "rex pater inconsolabiliter di- "citur deplorasse." ib. 85. Three years after died Jeffry duke of Britanny, his third

A. D. 1189. 1 Rich. I.

Cui satis ad votum non essent omnia terræ
Climata, terra modo sufficit octo pedum[n].

He whom alive the world would scarce suffice,
When dead, in eight foot earth contented lies.

He died at Chinon in Normandy, and was buried with very great solemnity in the nunnery of Font-Everard in the same country. A religious house of his own foundation and endowment[o].

Disobedience endeavoured to be expiated by superstition.

8. It is confidently reported[p], that when Richard, son and successor to king Henry, approached his father's dead corpse, it bled afresh at the nostrils; whence some collected him the cause of his death. But whilst nature's night councillors (treading in the dark causes of hidden qualities) render the reason of the sallying forth of the blood on such occasions, let the learned in the laws decide how far such an accident may be improved for a legal evidence. For surely that judge is no better than a murderer, who condemneth one for murder on that proof alone. However, on the bleeding of the father's nostrils, the son's heart could not but bleed, as meeting there with a guilty conscience. And therefore, (according to the divinity and devotion of those days,) to expiate his disobedience, he undertook with Philip Augustus, king of France, a long voyage against Sultan Saladin, to recover Christ his grave, and the city of Jerusalem, from the Turks in Palestine.

son (ib. 87.), Gul. Neubrigens. iii. 7. His eldest son William died in 1156.

In the end the king died of a fever contracted from grief and vexation at the rebellion of his sons Richard and John, especially of the latter, who was his favourite. See Gul. Neubrigens. iii. 25.]

[n] Mat. Paris, p. 151.

[o] [Trivet. I. 95, Gul. Neubrigens. iii. 25.]

[p] Mat. Paris, ut prius. [Hoveden, f. 372.]

9. Having formerly written an whole book of the holy war[q], and particularly of king Richard's achievements therein, I intend here no repetition; only our design is to give a catalogue of some of our English nobility who adventured their persons in the holy war, and whose male posterity is eminently extant at this day. I have known an excellent musician, whom no arguments could persuade to play, until hearing a bungler scrape in the company, he snatched the instrument out of his hand, (in indignation that music should be so much abused,) then tuned and played upon it himself. My project herein is, that giving in an imperfect list of some few noble families who engaged themselves in this service, it will so offend some eminent artist, (hitherto silent in this kind,) that out of disdain he will put himself upon so honourable a work, deserving a gentleman who hath lands, learning, and leisure, to undertake so costly, intricate, and large a subject, for the honour of our nation. And be it premised, that to prevent all cavils about precedency, first come, first served; I shall marshal them in no other method, but as in my studies I have met with the mention of them. A. D. 1190. 1 Rich. I. An account of our design.

10. To begin with the place of my present habitation; one Hugh Nevil attended king Richard into the holy war, and anciently lieth buried in a marble monument in the church of Waltham Abbey in Essex, whereof no remainders at this day. This Hugh Nevil being one of the king's special familiars, slew a lion in the Holy Land, first driving an arrow into his breast, and then running him through with his sword, on whom this verse was made, Nevil Killion his performance in Palestine.

[q The Historie of the Holy Warre. Camb. 1639.]

A. D. 1190. 1 Rich. I.

Viribus Hugonis vires periere leonis.
The strength of Hugh
A lion slew[q].

If Benaiah the son of Jehoiadah was recounted the fifth amongst David's worthies for killing *a lion in the midst of a pit in the time of snow*[r], surely on the same reason this bold and brave baron Hugh ought to be entered into the catalogue of the heroes of his sovereign. But I cannot give credit to his report, who conceiveth that the achievement of the man was translated to his master[s]; and that on this occasion king Richard the First got the name of Cœur de lion, or lion's heart.

Ancestors to the noble and numerous Nevils.

11. This Hugh Nevil gave the manor of Thorndon to Waltham abbey, and was ancestor of the noble and numerous family of the Nevils[t]; to which none

[q] Mat. Paris, an. 1222. [p. 315. In his history of Waltham-abbey, p. 20, Fuller speaking of this Hugh Neville says: "He was interred in "Waltham abbey, says my au- "thor, [Mat. Paris, p. 315.] "'in nobili sarcophago mar- "moreo et insculpto,' *in a* "*noble coffin of marble en-* "*graved.* If a coffin be called "*sarcophagus* from consuming "the corpse, surely sacrilege "may be named *sarcophago-* "*phagus*, which at this day "hath devoured that coffin "and all belonging thereunto." This was written in 1655.]

[r] 2 Sam. xxiii. 20.

[s] Weever's Fun. Mon. p. 644. [ed. 1631.]

[t] Registrum Cart. Abbat. de Waltham. [Of this book Fuller thus speaks in his Hist. of Waltham-Abbey, p. 7. "Know, "reader, that whatever here- "after I allege touching the "lands and liberties of Wal- "tham, if not otherwise at- "tested by some author in the "margin, is by me faithfully "transcribed out of Waltham "Leger-book, now in the pos- "session of the right honour- "able James [Hay] earl of "Carlisle. This book was "collected by Robert Fuller, "the last abbot of Waltham, "who though he could not "keep his abbey from disso- "lution, did preserve the anti- "quities thereof from oblivion. "The book, as appears by "many inscriptions in the ini- "tial text-letters, was made "by himself, having as happy

in England equal for honour, wealth, and number, in the latter end of king Henry the Sixth, though at this day the lord Abergavenny be the only baron thereof. He gave for his arms a cross saltier, or the cross of St. Andrew, probably assuming it in the holy war. For though I confess this is not the proper cross of Jerusalem, yet was it highly esteemed of all those who adventured thither, as may appear, in that all knights-templars made such saltier cross, with their thwarted legs upon their monuments. A.D. 1190. 1 Rich. I.

12. Giralde de Talbote succeeds in the second place; when articles were drawn up between our king Richard, in his passage to Palestine, and Tancred king of Sicily, for the mutual observation of many conditions betwixt them, he put in upon their oaths for his sureties, a grand jury of his principal subjects then present, viz. two archbishops, two bishops, and twenty other of his prime nobility expressed in his letters patents [u]; besides many others whose names were concealed. Of these twenty, the aforesaid Giralde de Talbote is the first; whose male issue and name is extant at this day, flourishing in the right honourable family of the earls of Shrewsbury. Giralde de Talbote, whence the house of Shrewsbury.

13. Next amongst the royal jurors (as I may term them) was Guarin Fitz-Gerald, from whom are descended the Fitz-Geralds in Ireland, (where their name is in some places provincial,) of whom the earl of Kildare is chief. A memorial of their service in Guarin Fitz-Gerald, from whom the earls of Kildare and barons of Windsor.

" a hand in fair and fast writ-
" ing, as some of his surname
" since have been defective
" therein." This appears to me to have been the same book as that quoted by Weever in his Fun. Mon. 644, under the title of " Registrum Cartarum " Abbatiæ de Waltham."]

[u] R. Hoveden, [Annales, f. 385.]

A.D. 1190. 1 Rich. I. Palestine is preserved in their arms, giving argent, a cross saltier gules. Here it must be remembered, that the valiant sprightly gentleman Hickman, lord Windsor, is descended from the same male ancestors with the Fitz-Geralds[v], (as Robert Glover, a most exquisite herald doth demonstrate,) though according to the fashion of that age, altering his old, and assuming a new name from Windsor, the place of his office and command. This lord Windsor carrieth the badge of his service in his arms, being essentially the same with the earl of Kildare's, save that the colours are varied; the field gules, and cross saltier argent, betwixt twelve crosses crossed, or: which coat seemingly surfeited, was conceived in that age, the more healthful for the same; the more crossed the more blessed, being the devotion of those days.

A quaternion more of adventurers.

14. Four other gentlemen of quality remain mentioned in that patent, William de Curcy, father to John, the valiant champion and conqueror of Ireland; Robert de Novo Burgo, Hugh le Bruin, and Amaury de Mountfort; of all whom formerly in our alphabetical comment on abbey-roll.

A.D. 1191. Ingleram de Fiennes his posterity.

15. At the siege of Acres or Ptolemais, (the grave general of the Christian army,) amongst many worthies dying there within the compass of one year; I find Ingelram de Fiennes to be slain[w], from whom the lord viscount Say and Seal, and the lord Dacre of the south derive their descent[x]. But most visible are the remains of the holy war in the achievement of Theophilus Fiennes, alias Clinton, earl of Lincoln, giving in the lower parts of his shield (in a field

[v] See Camd. Brit. in Berkshire, [p. 209.]

[w] R. Hoveden, [Annales, p. 225.]

[x] [Camd. Brit. in Sussex, f. 390.]

argent) six crosses crossed fitchee sable, denoting the stability and firmness of his ancestors in that service. A. D. 1191. 2 Rich. I.

16. Also at the aforesaid siege of Acres, Radulphus de Alta Ripa, archdeacon of Colchester ended his life[y]. Now although because a clergyman, he could not then leave any lawful issue behind him, yet we may be confident that the ancient family De Alta Ripa or Dautry, still continuing in Sussex, were of his alliance[yy]. Radulphus de Alta Ripa.

17. Before we leave the siege of Acres, let me refresh the reader with my innocent (and give me leave to say provable) mistake. I conceived the noble family of the lord Dacres took their surname from some service there performed, confirmed in my conjecture: 1. Because the name is written with a local tmesis, D'Acres. 2. Joan daughter to Edward the First, king of England, is called D'Acres, because born there. 3. They gave their arms, gules, three scallop-shells argent; which scallop-shells (I mean the nethermost of them, because most concave and capacious,) smooth within, and artificially plated without, was ofttimes cup and dish to the pilgrims in Palestine; and thereupon their arms often charged therewith. Since suddenly all is vanished, when I found Dacor[z], a rivulet in Cumberland, so ancient, that it is mentioned by Bede himself long before the A mistake freely confessed.

y [Galf. Vines. f. 279. (ed. Gale.) Rather Richard, canon of the Holy Trinity, London. For he is most evidently the author of the Itinerary of king Richard printed by Gale, and attributed by him and most writers since to Galf. Vinesauf. But Trivet quotes several lines from the Itinerary as written by Richard the canon (p. 97.), which passage is found in Gale, II. 302.]

yy Camd. Brit. ibid.

z Camd. Brit. in Cumberland, p. 639.

A.D. 1191. 2 Rich. I.

holy war was once dreamed of, which gave the name to Dacre's castle, as that (their prime seat) to that family.

Crescent and star why the device of king Richard I. in his voyage to the Holy Land.

18. Before we go further, be it here observed, that when king Richard the First went into Palestine, he took up for his device in his ensign a crescent and a star, but on what account men variously conjecture. Some conceive it done in affront to the sultan Saladin, the Turk giving the half moon for his arms. But this seems unlikely, both because a crescent is not the posture of the Turkish moon, and because this was a preposterous method with a valiant man at his bare setting forth, who would rather first win before wear the arms of his enemies. Others make a modest, yea religious meaning thereof, interpreting himself and his soldiers by the crescent and star, expecting to be enlightened from above by the beams of success from the sun of divine providence. Indeed it would trouble a wise man, but that a wise man will not be troubled therewith, to give a reason of king Richard's fancy; it being almost as easy for him to foretell ours, as for us infallibly to interpret his design herein. However, we may observe many of the principal persons which attended the king in this war had their shields becrescented and bestarred, in relation to this the royal device.

The arms of the ancient family of Minshull.

19. Thus Michael Minshull, of Minshull in Cheshire, serving king Richard in this war, had not only the crescent and star given him for his arms, but since also that family hath borne for their crest, two lions' paws holding a crescent. And I have seen a patent lately[a], granted by the lord marshal, to a knight

[a] Viz. July 4, 1642.

deriving himself from a younger branch of that family, assigning him for distinction, to change his crest into the sultan kneeling and holding a crescent[b]. A. D. 1191. 2 Rich. I.

20. And thus the noble family of Saint-John (whereof the earl of Bolingbroke, &c.) give for their paternal coat, argent, two stars, or, on a chief gules. These stars first give us a dim light to discover their service in the Holy Land, who since are beholding for perfecter information to one now scarce counted a rhythmer, formerly admitted for a poet, acquainting us with this and another noble family adventuring in the holy war, namely, the Sackvilles, still flourishing in the right honourable the earl of Dorset. As also of the noble St. John's and Sackville's.

King Richard wyth gud entent
To yat cite of Jafes[c] went
On morn he sent aftur Sir Robart Sakevile
Sir William Wateruile
Sir Hubart and Sir Robart of Turnham
Sir Bertram Brandes and John de St. John[d].

Yet the arms or crest of the Sackvilles give us not the least intimation of the holy war. And indeed no rational man can expect an universal conformity in so much variety of fancies, that all the arms of the adventurers thither should speak the same language, or make some sign of their service therein.

21. I find sir Frederic Tilney knighted at Acres in the Holy Land in the third year of king Richard the First[e]; he was a man *magnæ staturæ et potens corpore;* sixteen knights in a direct line of that name A. D. 1192. The worshipful family of the Tilnes.

[b] Sir Richard Minshull of Burton in Bucks.

[c] Jafes, that is, Joppa in Palestine.

[d] Robert of Gloucester. [Not in Hearne's copy, though probably in a MS. used by him. See his edition, p. 487. n.]

[e] Hackluit in his first volume of voyages.

A. D. 1192. 3 Rich. I. succeeded in that inheritance: whose heir general was married to the duke of Norfolk, whilst a male branch (if not, which I fear, very lately extinct) flourished since at Shilleigh in Suffolk.

The most honourable ancestors of the Villiers.

22. When I look upon the ancient arms of the noble family of the Villiers, wherein there is pilgrim on pilgrim, I mean five scallops, or, on the cross of St. George; I presently concluded one of that family attended king Richard in the Holy Land: but on better inquiry, I find that this family at their first coming into England, bare sable three cinque-foils argent; and that sir Nicholas de Villiers, knight, changed this coat in the reign[f], not of Richard, but Edward the First, whom he valiantly followed in his wars in the Holy Land and elsewhere.

The arms of the Berkeleys.

23. I will conclude with the noble family of Berkeley, than which none of England now eminently existing was more redoubted in the holy war. All know their descent from Harding (son to the king of Denmark), whose arms are said to be, gules, three Danish axes, or, or as others suppose with more probability, I conceive only a plain chevron, though some three hundred years since they have filled their coat with ten crosses patte, or, in remembrance of the achievements of their ancestors in that service. For I find that Harding of England landed at Joppa July the third, in the second year of king Baldwin, with a band of stout soldiers, where he relieved the Christians besieged therein[g].

[f] Burton in his description of Leicestershire, [p. 55. From whom the celebrated George Villiers duke of Buckingham was descended. See Frankland's An. 29. See some remarks upon the antiquity of this family in Clarendon, Rebel. I. 16.]

[g] Chronicon Jerusalem, ix. 11. [In the Gesta Dei per Francos.]

24. But I have been too tedious, intending only a short essay, and to be (let me call it) an honest decoy, by entering on this subject, to draw others into the completing thereof, during the whole extent of the holy war. The best is, for the present we have had good leisure, these martial times affording but little ecclesiastical matter. For at this present much of the English church was in Palestine, where Baldwin, archbishop of Canterbury, ended his life before the siege of Acres; and where Hubert Walter, bishop of Salisbury, was a most active commander; besides many more of the eminent clergy engaged in that service. Yet many did wish that one clergyman more had been there, (to keep him from doing mischief at home,) namely, William Longcamp, bishop of Ely, who played rex in the king's absence: so intolerable a tyrant was he, by abusing the royal authority committed unto him. And it is a wonder, that he, being indeed a Norman born, but holding so many and great offices in this land, should not be able to speak one word of good English, as the English were not willing to speak one good word of him[h].

A. D. 1192. 3 Rich. I.

More churchmen abroad than church-business at home.

25. Such as draw up a parallel betwixt this William Longcamp and Thomas Wolsey, (afterward

Longcamp and Wolsey paralleled.

[h] Godwin [de Præsul. Angl. p. 251. He was made chancellor and chief justice of all England (totius justiciarius regni), Trivet, I. 98. When John usurped the crown in the absence of Richard, Longcamp was deprived of his authority, and fled into Normandy. (ib. 114.) His appointment to the chief authority in the kingdom during the king's absence gave great offence to the nobility, who disliked the obscurity of his birth. Gul. Neubrigens. iv. 5. The same writer, who is however by no means favourable to prelates in general, gives him no favourable character; see iv. 14, sq., but Newbury is also more favourable to John the professed enemy of the bishop, than the rest of our chroniclers.]

A. D. 1530. 5 Hen. 8. archbishop of York,) find them to meet in many conformities. First, in the lowness of their birth, the one the son of an husbandman, the other of a butcher. Secondly, in the greatness of their power, both being the pope's legates, and their kings' principal officers. Thirdly, height of their pride, Longcamp having fifteen hundred daily attendants, Wolsey, though but a thousand, equalizing that number with the nobility of his train. Fourthly, suddenness of their fall, and it is hard to say which of the two lived more hated, or died less pitied.

Wolsey the better of the two.

26. Yet to give Wolsey his due, he far exceeded the other. Longcamp is accused of covetousness, promoting his base kindred, to the damage and detriment of others: no such thing charged on Wolsey. Longcamp's activity moved in the narrow sphere of England's dominions; whilst Wolsey might be said (in some sort) to have held in his hand the scales of Christendom. Up emperor, down France; and so alternately, as he was pleased to cast in his grains. Wolsey sat at the stern more than twenty years, whilst Longcamp's impolitic pride outed him of his place in less than a quarter of the time. Lastly, nothing remains of Longcamp, but the memory of his pride and pomp: whilst Christ Church in Oxford, and other stately edifices, are the lasting monuments of Wolsey's magnificence, to all posterity.

Yet a word in excuse of Longcamp.

27. But seeing it is just to settle men's memories on their true bottom, be it known, that one putteth in a good word in due season, in the excuse of bishop Longcamp, haply not altogether so bad as the pens of monks would persuade us[i]. It enraged

[i] Godwin [De Præsul p. 251.]

them against him, because Hugh Nonant, bishop of Coventry and Lichfield, drove out monks out of Coventry, and brought in secular priests in the room; which alteration he being not able of himself to effect, used the assistance of Longcamp bishop of Ely; ordering the same in a synod called at London. And seeing monks have no medium betwixt not loving and bitter hating, no wonder if for this cause they paid him their invectives. But we have done with him, and are glad of so fair a riddance of him, on this account, that most of his misdemeanors were by him committed, not *qua* bishop, but *qua* viceroy, and so more properly belonging to the civil historian[k]. A.D. 1192. 3 Rich. I.

28. King Richard in his return from Palestine was taken prisoner by Leopold duke of Austria, and detained by him in durance, with hard and unprince-like usage[l]; whilst the English clergy endeavoured the utmost for his enlargement. And at last when a fine certain was set upon him to be paid for his ransom, they with much ado in two years time disbursed the same.

[k] [See Neub. iv. 43. v. 28.]

[l] [He was transferred by the duke to the custody of the emperor. "Imperator allegans "regem non debere teneri a "duce, nec esse indecens si ab "imper. celsitudine decus re-"gium teneretur." Neubrigens. iv. 33. According to the letter which Richard wrote to Eleanor, he was not harshly treated: "honeste autem circa ip-"sum imperatorem moram fa-"cimus, donec ipsius et nostra "negotia perficiantur et donec "ei 70,000 marcarum argenti "solverimus." He then proceeds; "Universum autem au-"rum et argentum ecclesiarum "diligenti observatione et "scripti testimonio ab ipsarum "ecclesiarum prælatis accipia-"tis; eisque per sacramentum "vestrum et aliorum baronum "nostrorum quos volueritis "affirmetis quod eis plenarie "restituentur." (Rymer's Fœd. I. 60. Hoveden, f. 413.) This letter was written however while he was in the emperor's custody.]

A. D. 1193. 4 Rich. I.

29. The sum was an hundred and fifty thousand marks[m], to be paid, part to the duke of Austria, part to Henry the Sixth, surnamed the Sharp, (sure such our Richard found him,) emperor of Germany. Some will wonder that the weight of such a sum should then sway the back of the whole kingdom, (putting many churches to the sale of their silver chalices[n],) having seen in our age one city in a few

[m] [Trivet says 200,000 marks (i. 127.); Hoveden 150,000 (Annales, f. 414.), but according to Avesbury, the sum was 100,000 marks of silver, of which a third part was to be paid to the duke of Austria (iv. 27.). According to an anonymous chronicler cited in the margin of this last author, it was 150,000 marks of silver, Cologne weight, 20,000 marks of this money were to have been given to the duke of Austria, but were never paid, he dying just at the time when the money was about to be sent to him, and his country being visited with great troubles, which the English historians of this period considered as the judgment of God upon him for his cruelty to Richard. Neubrigens. v. 8. Hoveden, f. 425.

No wonder that when the monks contemplated the fate of this man, who had already been anathematized by the see of Rome for his avarice, they should have looked upon it as something more than human. His death was produced by a fall from his horse, which fractured his foot, and produced mortification. The physicians declared that amputation was necessary, yet no one had the hardihood to venture upon such an operation, but one of the duke's bed-chamber men. While the duke held the edge of an adze across his foot, his servant struck it three times with a mallet, and thus amputated the foot, but without the desired effect. The duke finding he was dying sent for the clergy, and desired remission from the censures of the church, but they refused it, until he made full reparation for the injuries which he had done to the king of England. The duke accordingly released the hostages which Richard had left with him as security for the money due to him. But the duke's son and successor refused to comply with the dying requests of his father, until he was compelled to do so by his clergy, who refused to perform the funeral rites over his father's body until he had complied.]

[n] [See "The History of the "Holy War," p. 130. Our author there observes, in reference to the king's imprisonment and ransom; "Not long "after the duke sold him to

days advance a larger proportion; but let such consider: A.D. 1193. 4 Rich. I.

i. The money was never to return, not made over by bills of exchange, but sent over in specie, which which made it arise the more heavily. For such sums may be said in some sort to be but lent, not lost, (as to the commonwealth,) which are not exported, but spent therein in the circulation of trading.

" Henry the emperor, for his " harsh nature surnamed *Asper*; and it might have been " *Sævus*, being but one degree " from a tyrant. He kept king " Richard in bonds, charging " him with a thousand faults " committed by him in Sicily, " Cyprus, and Palestine. The " proofs were as slender as the " crimes gross; and Richard " having an eloquent tongue, " innocent heart, and bold " spirit, acquitted himself in " the judgment of all hearers. " At last he was ransomed for " 140,000 marks, Cologne " weight*. A sum so vast in " that age, before the Indies " had overflowed all Europe " with their gold and silver, " that to raise it in England " they were forced to sell their " church-plate, to their very " chalices. Whereupon out of " most deep divinity it was " concluded†, that they should " not celebrate the Sacrament " in glass, for the brittleness of " it; nor in wood, for the " sponginess of it, which would " suck up the blood; nor in " alchymy, because it was subject to rusting; nor in copper, because that would provoke vomiting; but in chalices of latten, which belike was a metal without exception. And such were used in England for some hundred years after‡: until at last John Stafford, archbishop of Canterbury, when the land was more replenished with silver, inknotteth that priest in the greater excommunication that should consecrate *poculum stanneum.*" Yet Trivet says that in 1194, after the king had returned into England, finding some of the churches thus deprived of their chalices, he ordered others to be made and given to them in their place. ("Advertens etiam " nonnullas ecclesiarum cam- " pestrium argenteis carere ca- " licibus, cum didicisset eos " suæ redemptionis occasione " sublatos, sibi tanquam reo " imputans ad culpam, divina " minus digne in hac parte ce- " lebrari, jussit fieri per loca " diversa calices quamplurimos " eosque ecclesiis indigentibus " distribui sine mora.") p. 129.]

* Mat. Paris, p. 173. i. f. 6. ed. Paris, 1505.

† Lyndewode's Provincials, De Sum. Trin.

‡ Fox, I. 322.

A. D. 1194. 5 Rich. I.

ii. A third of silver went then more to make a mark than nowadays, witness their groats, worth our sixpence in the intrinsic value.

iii. Before trading to the East and West Indies, some hundred and fifty years since, very little the silver of England, in comparison to the banks of modern merchants[o].

However, Hubert archbishop of Canterbury, with much diligence perfected the work, and on his ransom paid, king Richard returned into England[p].

King Richard better for affliction.

30. Now lest his majesty should suffer any diminution by his long late imprisonment, king Richard was crowned again by Hubert archbishop of Canterbury, at Winchester, with great solemnity; and one may say that his durance was well bestowed on him, seeing after the same he was improved in all his relations.

[o] [The process of this collection is well described by Newbury, employing the emphatic words of the prophet Joel: *that which the palmerworm hath left hath the locust eaten; and that which the locust hath left hath the canker-worm eaten; and that which the cankerworm hath left hath the caterpillar eaten.* He observes, that after three several exactions, the collective sums were still found insufficient; and this, as it was thought, was occasioned by the fraud of the collectors, who made this raising of the king's ransom a cloak for all kinds of dishonesty and extortion. iv. 38.

Richard was liberated in January, 1195, and reached Sandwich in the March following. Neub. iv. 41.]

[p] [At the time when this collection was first set on foot for the king, Hubert was only bishop of Salisbury (Neubrig. iv. 33.), but shortly after, and while he was still a prisoner, Richard wrote from Germany to the bishops and others to fill up the vacancy of the metropolitan see, and recommended to them Hubert, who was accordingly elected. Baldwin his predecessor had died in the east during the crusades. Neub. iv. 36. v. 1.

He exacted from the Cistercians the profits of all their wool for two years, twenty shillings on every knight's fee, a fourth part of the revenues of the clergy and laity, and all the treasures of the church. Neub. v. 1. Hoved. f. 416.]

Son. For though he could not revive his dead father, yet on all occasions he expressed sorrow for his undutifulness. A.D. 1194. 5 Rich. I.

Husband. Hereafter prizing the company of Berengaria his queen, daughter to Sanctius king of Navarre, whom formerly he slighted and neglected[pp].

Brother. Freely and fully pardoning the practices of his brother John aspiring to the crown in his absence; and being better to his base brother Geffrey, archbishop of York, than his tumultuous nature did deserve[q].

Man. Being more strict in ordering his own conversation.

King. In endeavouring the amendment of many things in the land, in whose days a council was kept at York for reformation, but little effected.

31. Hubert Walter, archbishop of Canterbury, had almost finished a fair convent for monks at Lambeth, begun by Baldwin his predecessor[r]. But instantly the monks of Canterbury are all up in anger against him; they feared that in process of time Lambeth would prove Canterbury, (viz. the principal place of the archbishop's residence,) to the great impairing of their privileges; the vicinity of Lambeth to the A.D. 1198. Lambeth convent, why demolished.

pp [Hoveden, f. 428. b.]

q [John was condemned by the solemn judgment of his peers, and deprived of his former privileges. Neub. iv. 42. After which he still continued in hostility against his brother, and served against him under Philip king of France, till the truce between that prince and the king of England; when John finding no longer any countenance from the king of France, as an instrument which was of no further service, by the mediation of his mother was taken by his brother into favour: "a quo satis fraterne "susceptus ei de cætero contra "regem Francorum fideliter et "fortiter militavit, priores ex-"cessus novis officiis expians "et fraternam in se charitatem "ad plenum reformans." Neub. v. 5. Hoved. f. 248.]

r [Trivet. I. 91, 134. Hoved. f. 443. This church was founded in honour of St. Thomas.]

A.D. 1199. 10 Rich. I.

court increased their jealousy: and now they ply the pope with petitions, and with what makes petitions to take effect in the court of Rome; never content till they had obtained (contrary to the king's and archbishop's desire) that the convent at Lambeth was utterly demolished; many bemoaning the untimely end thereof before it was ended, murdered, as one may say, by malicious emulation.

King Richard his death.

32. The death of king Richard is variously reported, but this relation generally received, that he lost his life on this sad occasion. A viscount in France[s], subject to king Richard, having found a vast treasure, (hid probably by some prince, the king's predecessor,) sent part thereof to king Richard, reserving the rest to himself; who, could he have concealed all, had made no discovery, and had he sent all, had got no displeasure; whilst hoping by this middle way to pleasure the king, and profit himself, he did neither. King Richard disdains to take part for a gift, where all was due; and blame him not, if having lately bled so much money, he desired to fill his empty veins again. The viscount fled into Poictou, whither the king following, straitly besieged him.

By a poisoned arrow.

33. The castle being reduced to distress, a soldier shoots a poisoned arrow, contrary to the law of arms, being a sharp arrow from a strong bow is poison enough of itself, without any other addition. But those laws of arms are only mutually observed in orderly armies, (if such to be found,) and such laws outlawed by extremity; when the half-famished soldier, rather for spite than hunger, will champ a

[s] [Widomarus, vicecomes de Limoges. Hoveden, f. 449. Annales Burton, 255. According to these and other chroniclers he was wounded in the shoulder, not the eye. See also Hemingford, ch. 93.]

bullet. The arrow hits king Richard in the eye, who died some days after on the anguish thereof, having first forgiven the soldier that wounded him. A.D. 1199. 10 Rich. I.

34. By will he made a tripartite division of his body, and our author takes upon him to render a reason thereof[t]. His heart he bequeathed to Roan, because he had ever found that city hearty and cordial unto him: his body to be buried at Font-Evreux, at his father's feet, in token of his sorrow and submission, that he desired to be as it were his father's footstool: his bowels to be buried in the parish church in the province of Poictou, where he died, not for any bowels of affection he bare unto them, but because he would leave his filth and excrements to so base and treacherous a place. Others more charitably conceive them to be buried there, because conveniently not to be carried thence, whose corruption required speedy interment. Another monk telleth us, that his heart was *grossitudine præstans*[v], "gross for the greatness thereof;" which is contrary to the received opinion, that that part is the least in a valiant man, and the heart of a lion (this Richard we know was called Cœur de lion, or lion-hearted) less than the heart of an hare. The threefold division of his corpse.

35. I find two epitaphs made upon him, the first (better for the conceit than the poetry thereof) thus concludeth: His double epitaph and successor.

> Sic loca per trina se sparsit tanta ruina,
> Nec fuit hoc funus cui sufficeret locus unus[w].
>
> Three places thus are sharers of his fall,
> Too little, one, for such a funeral.

[t] Mat. Paris, p. 195. [Hoveden and Hemingf., as above.]

[v] Gervasius Dorobernensis, p. 1628. [Twysden.]

[w] Mille's Catalogue of Honour, p. 120.

A. D. 1199. 10 Rich. I. The second may pass for a good piece of poetry in that age;

Hic Ricarde jaces, sed mors si cederet armis
Victa timore tui cederet ipsa tuis[x].

Richard thou liest here, but were death afraid
Of any arms, thy arms had death dismayed.

Dying issueless, the crown after his death should have descended to Arthur, duke of Bretagne, as son to Geffrey, fourth son to Henry the Second, in whose minority John, fifth son to the said king, seized on the crown, keeping his nephew Arthur in prison till he died therein. Thus climbing the throne against conscience, no wonder if he sat thereon without comfort, as in the following century, God willing, shall appear[y].

[x] Camden's Brit. in Oxfordshire, [p. 269.]

[y] [According to Trivet, Richard appointed John to be his heir, Annal. i. 135. ("Hæres legitimus," R. de Diceto, p. 705.) And the first occasion of animosity between the uncle and nephew was from Arthur's aspiring to the throne and seizing upon the country of Anjou, for which he did fealty to Philip king of France at the city of Le Mans, in 1199. ib. 139. In 1201 a dissension falling between the kings of France and England, Philip, in order to find employment for his opponent, put Bretagne into the hands of Arthur, exhorting him at the same time to seize upon Poictou and Anjou, which it appears he had lost; for the promotion of which object Philip gave him two hundred men, and a large sum of money. John then leaving his foreign enemies, turned his arms against Arthur and his adherents; defeated them, and sent Arthur prisoner to Rouen. (ib. 143.) where he died in 1203. "De cujus morte regem "Johannem quidam ejus æmuli "infamarunt," such are the remarkable words of Trivet. 144. Compare also Annales Burton. p. 256.

According to Matthew Paris, in the year 1200, when Arthur was thirteen years of age, Philip and John were reconciled. John is permitted to hold without disturbance his Norman possessions, for which he does homage to Philip, whilst Arthur does homage to John for his lands in Bretagne and elsewhere, but fearing to

be betrayed by John remains in the custody of Philip (Hist. Angl. p. 200.)

1202. The friendship is but ill-patched between the two kings. At a conference between them at Guletune, "Rex Francorum contra re-"gem Anglorum mortali ar-"matus odio," indignantly ordered (præcepit) king John to restore to Arthur earl of Bretagne all the lands which he held (transmarinis partibus), sc. Normandy, Touraine, Anjou, Poictou, and others, and made many other demands with which John refused to comply. The next day Philip attacks Butavant and other castles belonging to John, and returning to Paris, "Arthurum "sub tutoribus deputavit;" delivers him two hundred French soldiers, to make an attack upon Poictou, and subjugate that and the other countries to his own power. The nobility of Poictou join Arthur, and beleaguer queen Eleanor at the castle of Mirabel. Eleanor sends messengers to John earnestly requesting assistance. The king goes to her relief; a battle takes place; Arthur and the French are defeated and taken; Arthur is put under strict guard at Falaise. At Falaise the king has an interview with his nephew, and endeavours by kind words and promises to induce him to withdraw from the king of France and remain in his allegiance. Arthur foolishly (stulto usus consilio) answered the king with indignation and threats; demands of John that he should restore him the kingdom with all the lands which king Richard held at the day of his death. And inasmuch as all these things were his just inheritance, he swore that unless he speedily restored them the king should never enjoy a durable peace. At these words John was greatly disturbed: and gave orders that Arthur should be sent to Rouen, where he was detained in closer custody. "Sed non multo "post idem Arthurus subito "evanuit modo fere omnibus "ignorato: utinam non ut "fama refert invida." 207–8.] A.D. 1199. 1 John.

THE THIRTEENTH CENTURY.

TO

MR. JOHN ROBINSON

OF

MILK STREET IN LONDON, MERCHANT.[a]

Divines generally excuse the dumb man[b] *cured by Christ, for publishing the same, though contrary to his command. Theophylact goes further in his comment on the text,* διδασκόμεθα ἐντευθεν, κηρύσσειν καὶ φημίζειν τοὺς ἀγαθοποιησάντας κἂν ἐκεῖνοι μὴ θέλωσιν, "*Hence we are taught,*" *saith he,* "*to proclaim and spread the fame of our bene-*

[a] [Arms vert, on a chevron or three trefoils of the first, between three bucks passant of the second. This Mr. Robinson, who was an alderman, was a great friend to the loyal clergy, and befriended the celebrated Anthony Farindon, by procuring him the living of St. Mary Magdalen, Milk-street, Cheapside. He was afterwards knighted, according to Wood, (Athenæ, II. 226, who calls him kinsman to Dr. Laud.) There was a John Robinson alderman and lord mayor, who was lieutenant of the Tower in 1660, and made a baronet the same year. He was the son of Dr. William Robinson, prebendary of Westminster, half-brother to archbishop Laud (Heylyn's Life of Laud, p. 46.), and is the same person to whom Heylyn dedicated his Life of Laud. I have little doubt but that these two sir John's were one and the same person, though my friend Mr. Barham informs me that the coat of the latter was entirely different from the former, viz. *Vert, a buck at gaze, or;*— the coat still borne by my friend Mr. Robinson of Hart-street, Bloomsbury.]

[b] Mark vii. 36.

"factors, though they themselves be unwilling." On which account I safely may, and justly must, publicly acknowledge your bounty to me.

HIS Christmas king John kept at Guildford, where he bestowed many new holyday-liveries on his guard, and Hubert the archbishop gave the like to his servants at Canterbury; who offended the king not a little, that the mitre should ape the crown, and the chaplain vie gallantry with his patron. To make some amends, when the king and queen the Easter following were crowned at Canterbury, Hubert made them magnificent, yea, superfluous cheer[b]. Yet his offence herein carried an excuse in it; and superfluity at that time seemed but needful to do penance for his former profuseness; and to shew that his loyalty in entertaining of the king should surpass his late vanity, in ostentation of his wealth. However, when king John had digested the archbishop's dainty cheer, the memory of his servants' coats still stuck in his stomach. Surely if clergymen had left all emulation with the laity in outward pomp, and applied themselves only to piety and painfulness in their calling, they had found as many to honour, as now they made to envy them.

A. D. 1199. 1 John. Hubert's indiscreet emulation of the king.

2. But now we enter on one of the saddest tragedies that ever was acted in England, occasioned by the monks of Canterbury, after the decease of Hubert[c], about the election of a new archbishop. O that their monkish controversies had been confined to a cloister, or else so enjoined a single life, that their

A. D. 1205. A scratch betwixt the monks of Canterbury widened into a dangerous wound.

[b] Mat. Paris, Hist. Ang. in anno 1201.

[c] [He died this year. Chron. Lanercost. 2]

A.D. 1205. 6 John. local discords might never have begotten any national dissensions. *Behold* (saith the apostle) *how great a matter a little fire kindleth*[d], especially after a long drought, when every thing it meets is tinder for it. All things at home (besides foreign concurrences) conspired to inflame the difference: king John, rather stubborn than valiant, was unwilling to lose, yet unable to keep his right; the nobility potent and factious; the clergy looking at London, but rowing to Rome: carrying Italian hearts in English bodies: the commons pressed with present grievances, generally desirous of change; conceiving any alteration must be for their advantage, barely because an alteration. All improved the discord so long, till Normandy was lost; England embroiled; the crown thereof envassalled; the king's person destroyed; his posterity endangered; foreigners fetched in to insult, and native subjects made slaves to their insolencies.

Two archbishops chosen by the monks of Canterbury, and the pope propoundeth a third.

3. The younger of the monks of Canterbury, in the night time, without the king's knowledge or consent, chose Reginald their sub-prior to be archbishop[e]. The seniors of their convent solemnly, at a canonical hour, with the approbation, yea commendation of the king, chose John de Gray bishop of Norwich for the place; and both sides post to Rome for the pope's confirmation. He finding them violent in their ways, to prevent further faction, advised A.D. 1207. them to pitch on a third man; Stephen Langton, born in England, but bred in France, lately chan-

[d] James iii. 5.

[e] [Trivet. i. 149. According to Trivet the pope appointed Langton to the see, "pos- "tulantibus monachis ejusdem "ecclesiæ," and consecrated him the 17th of June. Upon which John, who favoured the bishop of Norwich, expelled the monks from their monastery, and forbade Langton to enter England. 151.]

cellor of the university of Paris, and sithence made cardinal of St. Chrysogone. Which expedient or middle way, though carrying a plausible pretence of peace, would by the consequence thereof improve the pope's power, by invading the undoubted privileges of king John. The monks soberly excused themselves, that they durst not proceed to an election without the king's consent, but affrighted at last with the high threats of his holiness menacing them with excommunication, Stephen Langton was chosen accordingly. One that wanted not ability for the place, but rather had too much, as king John conceived, having his high spirit in suspicion, that he would be hardly managed. A.D. 1207. 8 John.

4. Then two letters were dispatched from the pope to the king[e]. The first had nothing of business, but compliment, and four gold rings with several stones; desiring him rather to mind the mystery, than value the worth of the present; wherein the round form signified eternity, their square number constancy, the green smaragd faith, the clear sapphire hope, the red granite charity, the bright topaz good works. How precious these stones were in themselves is uncertain; most sure it is they proved dear to king John, who might beshrew his own fingers for ever wearing those rings, and, as my author saith soon after, *gemmæ commutatæ in gemitus*[f]. For in the second letter the pope recommended Stephen Langton to the king's acceptance, closely couching threats in case he refused him. The pope sends two letters of contrary tempers to the king.

5. King John returned an answer full of stomach and animosity, that this was an intolerable encroach- King John's return,

[e] [See the Fœdera, I. 93.] [f] Mat. Paris in anno 1207. p. 223.

A. D. 1207. 8 John.

raising his voice to too high a note at first.

ment on his crown and dignity, which he neither could nor would digest, to have a stranger, unknown unto him, bred in foreign parts, familiar with the French king his sworn enemy, obtruded upon him for an archbishop. He minded the pope that he had plenty of prelates in the kingdom of England sufficiently provided in all kind of knowledge, and that he need not to go abroad to seek for judgment and justice, intimating an intended defection from Rome in case he was wronged. Other passages were in his letter which deserved memory, had they been as vigorously acted as valiantly spoken. Whereas now (because he foully failed at last) judicious ears hearken to his words no otherwise, than to the empty brags of impotent anger, and the vain evaporations of his discontentment. However, he began high, not only banishing the monks of Canterbury for their contempt out of his kingdom, but also forbidding Stephen Langton from once entering into England.

A. D. 1208. Three bishops by command from the pope interdict the whole kingdom.

6. Hereupon pope Innocent the Third employed three bishops, William of London, Eustace of Ely, and Mauger of Worcester, to give the king a serious admonition, and upon his denial or delaying to receive Stephen Langton for archbishop, to proceed to interdict the kingdom of all ecclesiastical service, saving baptism of children, confession and the eucharist to the dying in case of necessity: which by them was performed accordingly[g]. No sooner had they interdicted the kingdom, but with Joceline bishop of Bath, and Giles of Hereford, they as speedily as secretly got them out of the land, like adventurous empirics, unwilling to wait the working

[g] [Ann. de Margan. et Ann. Waverl. in an. 1208.]

of their desperate physic; except any will compare them to fearful boys, which at the first trial set fire to their squibs with their faces backwards, and make fast away from them. But the worst was, they must leave their lands and considerable moveables in the kingdom behind them. A.D. 1208. 9 John.

7. See now on a sudden the sad face of the English church. A face without a tongue; no singing of service, no saying of mass, no reading of prayers; as for preaching of sermons, the laziness and ignorance of those times had long before interdicted them. None need pity the living, (hearing the impatient complaints of lovers, for whose marriage no license could be procured,) when he looks on the dead, who were buried in ditches, like dogs, without any prayers said upon them[h]. True, a well informed Christian knows full well that a corpse, though cast in a bog, shall not stick there at the day of judgment; thrown into a wood, shall then find out the way; buried by the highway's side, is in the ready road to the resurrection. In a word, that wheresoever a body be put or placed, it will equally take the alarum at the last trumpet. Yet seeing these people believed that a grave in consecrated ground was a good step to heaven, and were taught that prayers after their death were essential to their salvation, it must needs put strange fears into the heads and hearts, both of such which deceased, and their friends which survived them. And although afterwards at the entreaty of Stephen Langton the England's sad case under interdiction.

h "Corpora quoque defunctorum de civitatibus et villis efferebantur, et more canum in biviis et fossatis sine orationibus et sacerdotum ministerio sepeliebantur." Mat. Paris, p. 226.

A.D. 1208. 9 John. pope indulged to conventual churches to have service once a week, yet parish churches, where the people's need was as much, and number far more, of souls, as dear in God's sight, were debarred of that benefit[i].

Two grand effects wrought by this interdiction.

8. Some priests were well pleased that the interdiction for a time should continue, as which would render their persons and places in more reputation, and procure a higher valuation of holy mysteries. Yea, this fasting would be wholesome to some souls, who afterwards would feed on divine service with greater appetite. Hereby two grand effects were generally produced in the kingdom. One, a terrible impression made in men's minds of the pope's power, which they had often heard of, and now saw and felt, whose long arm could reach from Rome all over England, and lock the doors of all churches there; an emblem, that in like manner he had, or might have bolted the gates of heaven against them. The second, an alienation of the people's hearts from king John, all being ready to complain; O cruel tyrant over the souls of his subjects, whose wilfulness depriveth them of the means of their salvation!

King John's innocence and the pope's injustice in these proceedings.

9. However, if things be well weighed, king John will appear merely passive in this matter, suffering unjustly, because he would not willingly part with his undoubted right. Besides, suppose him guilty, what equity was it, that so many thou-

[i] [Parker;] Antiq. Brit. p. 237. [But the Chronicon de Lanercost represents it somewhat differently, that divine service was performed only once a week in the abbey-churches, all laymen being religiously excluded. "Quo anno [sc. "1209.] ob mitigationem data "est licentia a domino papa "in abbatiis per Angliam se- "mel in hebdomada divina ce- "lebrare, voce submissa, januis "clausis, exclusis seculari- "bus." p. 5. Shortly after the pope also permitted the eucharist to be administered to persons in extremity. Ib. 6.]

sands in England, who in this particular case might better answer to the name of Innocent than his holiness himself, should be involved in his punishment? God indeed sometimes most justly punisheth subjects for the defaults of their sovereigns, as in the case of the plague, destroying the people for David's numbering of them. But it appears in the text[k], that formerly they had been offenders and guilty before God, as all men at all times are. But seeing the English at this present had not injured his holiness by any personal offence against him, the pope by interdicting the whole realm, discovered as much emptiness of charity as plenitude of power. But some will say, his bounty is to be praised that he permitted the people some sacraments, who might have denied them all, in rigour, and with as much right; yea, it is well he interdicted not Ireland also, as a country under king John's dominion, deserving to smart for the perverseness of their prince placed over it. A. D. 1208. 9 John.

10. But after the continuance of this interdiction, a year and upwards, the horror thereof began to abate. Use made ease, and the weight was the lighter, borne by many shoulders. Yea, the pope perceived that king John would never be weary with his single share in a general burden, and therefore proceeded *nominatim* to excommunicate him[l]. For now his holiness had his hand in, having about this time excommunicated Otho the German emperor; and if the imperial cedar had so lately been blasted A. D. 1210. King John by name excommunicated.

[k] Compare the 2 Sam. xxiv. 1. with the 1 Chron. xxi. 1.

[l] [Trivet. I. 154. See an account of this excommunication in Chron. de Lanercost, p. 5, and a remarkable dialogue between the king and Pandulphus, in the Ann. of Waverley and Burton, a. 1211.]

A. D. 1210. 11 John. with his thunderbolts, no wonder if the English oak felt the same fire. He also assoiled all English subjects from their allegiance to king John, and gave not only license but encouragement to any foreigners to invade the land, so that it should not only be no sin in them, but an expiating of all their other sins to conquer England. Thus the pope gave them a title; and let their own swords by knight-service get them a tenure[m].

Yet is blessed with good success under the pope's curse.

11. Five years did king John lie under this sentence of excommunication, in which time we find him more fortunate in his martial affairs than either before or after. For he made a successful voyage into Ireland[n], as greedy a grave for English corps as a bottomless bag for their coin: and was very triA. D. 1211. umphant in a Welsh expedition, and stood on honourable terms in all foreign relations. For as he kept Ireland under his feet, and Wales under his elbow, so he shaked hands in fast friendship with Scotland, and kept France at arms end without giving hitherto any considerable advantage against him. The worst was, not daring to repose trust in his subjects, he was forced to entertain foreigners, which caused his constant anxiety: as those neither stand sure nor go safe, who trust more to a staff than they lean on their legs. Besides, to pay these mercenary soldiers, he imposed unconscionable taxes, both on the English (clergy especially) and Jews in

[m] [In 1208 he had laid France under a general interdict because Philip had repudiated his queen Ingeburgis. Trivet, 198. This interdict continued for three years, to 1213. The interdict in England lasted six years, three months, and seventeen days.]

[n] And brought the whole country under his subjection. Trivet, 204. Chron. de Lanercost, 7.

the kingdom[o]. One Jew there was of Bristol[p] vehemently suspected for wealth, though there was no clear evidence thereof against him, of whom the king demanded ten thousand marks of silver, and upon his refusal, commanded that every day a tooth with intolerable torture should be drawn out of his head; which being done seven several times, on the eighth day he confessed his wealth, and payed the fine demanded; who yielding sooner, had saved his teeth, or stubborn longer, had spared his money; now having both his purse and his jaw empty by the bargain. Condemn we here man's cruelty and admire heaven's justice; for all these sums extorted from the Jews by temporal kings are but paying their arrearages to God for a debt they can never satisfy, namely, the crucifying of Christ[q]. A.D. 1211. 12 John.

12. About the same time one Peter of Wakefield in Yorkshire, a hermit, prophesied that John should be king of England no longer than next Ascension-day, after which solemn festival, on which Christ mounted on his glorious throne took possession of his heavenly kingdom, this opposer of Christ should no longer enjoy the English diadem. And as some report, he foretold that none of king John's lineage should after him be crowned in the kingdom. The king called this prophet an idiot-knave[r]; which description of him, implying a contradiction, the king thus reconciled, pardoning him as an idiot, and A.D. 1212. The prophecy of Peter of Wakefield against king John.

[o] [Ann. Waverl. in 1210. On his return from Ireland 29th of August, he laid a heavy exaction on the abbeys and religious houses, particularly the Cistercians. Triv. I. 154.]

[p] Mat. Paris, in anno 1210.

[q] [In 1210 all the Jews were apprehended, their goods confiscated, and they themselves by a public edict banished from England. Trivet. 154.]

[r] Fox, Acts, &c. I. p. 229. [Mat. Paris, in an. 1212.]

A.D. 1212. 13 John. punishing him as a knave with imprisonment in Corfe castle. The fetters of the prophet gave wings to his prophecy, and whereas the king's neglecting it might have puffed this vain prediction into wind, men began now to suspect it of some solidity, because deserving a wise prince's notice and displeasure. Far and near it was dispersed over the whole kingdom, it being generally observed[s], that the English nation are most superstitious in believing such reports, which causeth them to be more common here than in other countries. For as the receiver makes the thief, so popular credulity occasioneth this prophetical vanity, and brokers would not set such base ware to sale but because they are sure to light on chapmen.

A.D. 1213. King John's submission to the pope. 13. Leave we the person of this Peter in a dark dungeon, and his credit as yet in the twilight, betwixt prophet and impostor, to behold the miserable condition of king John, perplexed with the daily preparation of the French king's invasion of England, assisted by many English malecontents and all the banished bishops[t]. Good patriots, who, rather than the fire of their revenge should want fuel, would burn their own country which bred them! Hereupon king John having his soul battered without with foreign fears, and foundered within by the falseness of his subjects, sunk on a sudden beneath himself to an act of unworthy submission and subjection to the pope. For on Ascension eve, May 15, being in the town of Dover, standing as it were on tiptoes, on the utmost edge, brink and label of that land, which now

[s] Cominæus saith, that the English are never without some prophecy on foot. [Mémoires de Phil. de Commines, f. 182. b. ed. 1577.]

[t] [Trivet. I. 157.]

he was about to surrender, king John by an instrument or charter[v], sealed and solemnly delivered in the presence of many prelates and nobles to Pandulphus the pope's legate, granted to God and the church of Rome, the apostles Peter and Paul, and to pope Innocent the Third and his successors, the whole kingdom of England and Ireland. And took an estate thereof back again, yielding and paying yearly to the church of Rome, over and above the Peter-pence, a thousand marks sterling, viz. 700 for England, and 300 for Ireland. In the passing hereof this ceremony is observable, that the king's instrument to the pope was sealed with a seal of gold[w], and the pope's to the king, which I have beheld and perused, remaining amongst many rarities in the earl of Arundel's library, was sealed with a seal of lead. Such bargains let them look for who barter with his holiness, always to be losers by the contract. *Thy silver*, saith the prophet, *is become dross*[x]: and here was the change of Glaucus and Diomedes made, as in the sequel of the history will appear. A.D. 1213. 14 John.

14. Yet we find not that this fee-farm of a thousand marks was ever paid, either by king John or by his successors, but that it is all run on the score even unto this present day. Not that the pope did remit it out of his free bounty, but for other reasons was rather contented to have them use his power therein. Perchance suspecting the English kings would refuse to pay it, he accounted it more honour The rent never paid the pope, nor demanded by him.

[v] [This instrument is exemplified in Trivet, I. 158. Ann. Waverl. in a. 1213, and in the Fœdera, I. 111.]

[w] Both instruments for the present were but sealed with wax, and the next year solemnly embossed with metal in the presence of Nicholas the pope's legate.

[x] Isai. i. 22.

A.D. 1213. 14 John. not to demand it than to be denied it. Or it may be his holiness might conceive, that accepting of this money might colourably be extended to the cutting him off from all other profits he might gain in the kingdom. The truth is, he did scorn to take so poor a revenue *per annum* out of two kingdoms, but did rather endeavour to convert all the profits of both lands to his own use, as if he had been seized of all in demesnes.

The proud carriage of Pandulphus to the king.

15. At the same time king John on his knees surrendered the crown of England into the hands of Pandulphus, and also presented him with some money as the earnest of his subjection, which the proud prelate trampled under his feet[w]. A gesture applauded by some, as shewing how much his holiness, whom he personated, slighted worldly wealth, caring as little for king John's coin, as his predecessor St. Peter[x] did for the money of Simon Magus. Others, and especially Henry archbishop of Dublin, then present, were both grieved and angry thereat, as an intolerable affront to the king; and there wanted not those who condemned his pride and hypocrisy, knowing Pandulphus to be a most greedy griper, as appeared by his unconscionable oppression in the bishopric of Norwich, which was afterwards bestowed upon him[y]. And perchance he trampled on it, not as being money, but because no greater sum thereof. Five days, namely, Ascension day, and

[w] Matt. Paris, p. 237.

[x] Acts viii. 20.

[y] [An instance of his unpopularity is mentioned in the Ann. of Waverley, p. 178. When the legate was preaching at Westminster, after abrogating the interdict, he took for his text these words: *In Deo speravit cor meum, et adjutus sum et refloruit caro mea:* on which one starting up exclaimed aloud: *per mortem Dei mentiris, nunquam cor tuum speravit in Deo, &c.*]

four days after, Pandulphus kept the crown in his possession, and then restored it to king John again. A long eclipse of royal lustre; and strange it is, that no bold monk in his blundering chronicles did not adventure to place king Innocent, with his five days, reign, in the catalogue of English kings, seeing they have written what amounts to as much in this matter. A.D. 1213. 14 John.

16. Now all the dispute was, whether Peter of Wakefield had acquitted himself a true prophet or no. The romanized faction were zealous in his behalf, John after that day not being king in the same sense and sovereignty as before, not free but feodary, not absolute, but dependent on the pope, whose legate possessed the crown for the time being, so that his prediction was true in that lawful latitude justly allowed to all prophecies. Others, because the king was neither naturally nor civilly dead, condemned him of forgery; for which, by the king's command, he was dragged at the horse-tail from Corfe castle, and with his son hanged in the town of Wareham[z]. A punishment not undeserved, if he foretold (as some report) that none of the line or lineage of king John should after be crowned in England; of whose offspring some shall flourish in free and full power on the English throne, when the chair of pestilence shall be burnt to ashes; and neither triple-crown left at Rome to be worn, nor any head there which shall dare to wear it. Peter the prophet hanged, whether unjustly, disputed.

17. Next year the interdiction was taken off the kingdom, and a general jubilee of joy all over the land[a]. Banished bishops being restored to their A.D. 1214. The interdiction of England relaxed.

[z] Mat. Paris ut prius. [Ann. Waverleiens. and Wikes in a. 1213.]

[a] [The clergy would not relax the interdict till their temporalities were restored (Trivet, I. 160.), nor were they perfectly satisfied when John obtained from the papal see a relaxation of the interdict on

A.D. 1214. 15 John. sees, service and sacraments being administered in the church as before. But small reason had king John to rejoice, being come out of God's blessing, of whom before he immediately held the crown into the warm sun, or rather scorching heat of the pope's protection, which proved little beneficial unto him.

The pope's legate arbitrates the arrears betwixt the king and clergy.

18. A brawl happened betwixt him and the banished bishops, now returned home, about satisfaction for their arrears, and reparation of their damages during the interdiction; all which term the king had retained their revenues in his hands. To moderate this matter, Nicholas a Tusculan cardinal and legate was employed by the pope; who after many meetings and synods to audit their accounts, reduced all at last to the gross sum of forty thousand marks, the restoring whereof by the king unto them was thus divided into three payments[a].

i. Twelve thousand marks Pandulphus carried over with him into France, and delivered them to the bishops before their return.

ii. Fifteen thousand were paid down at the late meeting in Reading.

iii. For the thirteen thousand remaining they had the king's oath, bond, and other sureties.

But then in came the whole cry of the rest of the clergy, who stayed all the while in the land, bringing in the bills of their several sufferings and losses sustained, occasioned by the interdiction. Yea, some had so much avarice and little conscience, they could have been contented the interdiction had still remained, until all the accidental damages were repaired. But cardinal Nicholas averred them to amount

condition of restoring within five years all that he had taken from the churches, paying a moiety each year. ib.]

[a Ann. Waverl. ibid.]

to an incredible sum, impossible to be paid, and unreasonable to be demanded; adding withal, that in general grievances, private men may be glad if the main be made good unto them, not descending to petty particulars, which are to be cast out of course, as inconsiderable in a common calamity. Hereupon, and on some other occasions, much grudging and justling there was betwixt Stephen archbishop of Canterbury and the legate, as one in his judgment and carriage too propitious and partial to the king's cause. A.D. 1214. 15 John.

19. The remnant of this king's reign afforded little ecclesiastical story, but what is so complicated with the interest of state, that it is more proper for the chronicles of the commonwealth. But this is the brief thereof. The barons of England demanded of king John to desist from that arbitrary and tyrannical power he exercised, and to restore king Edward's laws, which his great-grandfather king Henry the First had confirmed to the church and state, for the general good of his subjects; yea, and which he himself, when lately absolved from the sentence of excommunication by Stephen archbishop of Canterbury, had solemnly promised to observe. But king John, though at the first he condescended to their requests, afterwards repented of his promise, and refused the performance thereof. Hereupon the barons took up arms against him, and called in Lewis prince of France, son to Philip Augustus, to their assistance, promising him the crown of England for his reward [b]. The barons rebel against king John. A.D. 1215.

20. Yet the pope endeavoured what lay in his power to dissuade prince Lewis from this design, to which at first he encouraged him, and now forbad him in vain [c]. For where a crown is the game A.D. 1216. Lewis prince of France invited by the barons to invade England.

[b] [Trivet, I. 162. Ann. Waverl. a. 1215.] [c] [Trivet, I. 165.]

A.D. 1216. 16 John.

hunted after, such hounds are easier laid on t either rated or hollowed off. Yea, ambition brought this prince into this dilemma; that i invaded England he was accursed by the pope; i invaded it not forsworn of himself, having prom upon oath by such a time to be at London. (comes Lewis into England, and there hath the p cipal learning of the land the clergy, the stre thereof the barons, the wealth of the same Londoners, to join with him; who but ill requ king John for his late bounty to their city in giving them a mayor for their governor[d]. G the pope's new legate sent on purpose, besti himself with book, bell, and candle. Excom nicating the archbishop of Canterbury with all nobility opposing king John, now in protectio his holiness. But the commonness of these cu caused them to be contemned, so that they we fright to few, a mock to many, and an hurt to nor

An unworthy embassy of king John to the king of Morocco.

21. King John thus distressed, sent a base, d nerous, and unchristianlike embassage to Admir Murmelius, a Mahometan king of Morocco, t very puissant, and possessing a great part of Sp offering him, on condition he would send him cour, to hold the kingdom of England as a va from him, and to receive the law of Mahomet[e].

[d] Granted to the city anno Dom. 1209. Grafton's [Abridgment of the Chron. f. 49. ed. 1563.]

[dd] [Trivet, I. 166.]

[e] Mat. Paris, p. 245, placeth this two years sooner, viz. an. 1213. [Watts in his Adversaria to Mat. Paris justly throws discredit upon this narrative. Wendover upon whom Paris based the earlier pa his Chronicle, and Matth Westminster, who has abri Mat. Paris, a writer of judgment, and one who inserted many foolish ments into his Chronicle, tion nothing of this emb Not the slightest notice

Moor, marvellously offended with his offer, told the ambassadors that he lately had read Paul's Epistles, which for the matter liked him very well, save only that Paul once renounced that faith wherein he was born, and the Jewish profession. Wherefore he neglected king John, as devoid both of piety and policy, who would love his liberty and disclaim his religion. A strange tender, if true. Here, whilst some allege in behalf of king John, that cases of extremity excuse counsels of extremity, when liberty is not left to choose what is best, but to snatch what is next, neglecting future safety for present subsistence, we only listen to the saying of Solomon; *Oppression maketh a wise man mad*[f]. In a fit of which fury, oppressed on all sides with enemies, king John, scarce *compos sui*, may be presumed to have pitched on this project. A.D. 1216. 16 John.

22. King John having thus tried Turk and pope, and both with bad success, sought at last to escape those his enemies, whom he could not resist, by a far and fast march into the north-eastern counties. Where turning mischievous instead of valiant, he cruelly burnt all the stacks of corn of such as he conceived disaffected unto him; doing therein most spite to the rich for the present, but in fine more spoil to the poor, the prices of grain falling heavy on those who were least able to bear them. Coming to Lynn, he rewarded the fidelity of that town unto him, with bestowing on that corporation his own The lamentable death of king John.

is found either in the Fœdera or in the other state documents which hitherto have been printed of this reign.

Of the invasion of Spain by Miramomelinus (as he is generally called in our chronicles), which probably gave occasion to this fiction, see Annales Waverleienses, p. 175. ed. Fell.]

[f] Eccles. vii. 7.

A.D. 1216. 17 John.

sword[g]; which had he himself but known how well to manage, he had not so soon been brought into so sad a condition. He gave also to the same place a fair silver cup all gilded. But few days after a worse cup was presented to king John at Swineshed-abbey in Lincolnshire, by one Simon a monk, of poisoned wine, whereof the king died[h]. A murder so horrid, that it concerned all monks who in that age had the monopoly of writing histories, to conceal it, and therefore give out sundry other causes of his death. Some report him heartbroken with grief for the loss of his baggage and treasure drowned in the passage over the washes[i]; it being just with God, that he who had plagued others with fire should be punished by water, a contrary but as cruel an element. Others ascribe his death to a looseness and scouring with blood[k]; others to a cold sweat; others to a burning heat; all effects not inconsistent with poison, so that they in some manner may seem to set down the symptoms and suppress his disease[l].

King John's character delivered in the dark.

23. It is hard to give the true character of this king's conditions. For we only behold him through such light as the friars his foes shew him in; who so hold the candle, that with the shadow thereof they darken his virtues and present only his vices. Yea, and as if they had also poisoned his memory,

g Camd. Brit. in Norfolk, [p. 350.]

h Wil. Caxton (Julian the notary) in his Chron. called Fructus Temp. lib. vii. [f. 62. ed. 1515. So it is stated in the chronicle of Thom. Wykes, p. 38. According to Walter Hemingford he died from eating a poisoned pear. Chron. p. 559.]

i Mat. Paris, p. 287

k Compare Mr. Fox, Acts, &c. I. 333, with Holinshed, p. 194. [Hist. Croyland, 474.]

l [He died at Newark 19 Oct. "In ipso belli apparatu "morbo correptus." Trivet, I. 166. An. Waverl. a. 1216.]

they cause his faults to swell to a prodigious great- A. D. 1216. 17 John.
ness, making him with their pens more black in conditions than the Morocco king, whose aid he requested, could be in complexion. A murderer of his nephew Arthur, a defiler of the wives and daughters of his nobles, sacrilegious in the church, profane in his discourse, wilful in his private resolutions, various in his public promises, false in his faith to men, and wavering in his religion to God. The favourablest expression of him falls from the pen of Roger Hoveden[m]: "Princeps quidem magnus "erat, sed minus felix, atque ut Marius, utramque "fortunam expertus." Perchance he had been esteemed more pious, if more prosperous; it being an usual (though uncharitable) error, to account mischances to be misdeeds. But we leave him quietly buried in Worcester church, and proceed in our story.

24. Henry, the third of that name, his son, succeeded him, being but ten years old, and was crowned at Gloucester by a moiety of the nobility and clergy, the rest siding with the French Lewis[n]. Now what came not so well from the mouth of Abijah the son, concerning his father Rehoboam, posterity may no less truly and more properly pronounce of this Henry, even when a man, He was but a child, and tender-hearted[o]. But what strength was wanting in the ivy itself, was supplied by the oaks, his supporters, his tutors and governors; first, William Mareschal, earl of Pembroke, and after his death, Peter bishop of Winchester[p]. But of these

1 Hen. III. Henry the Third under tutors and governors.

[m] [Hist. f. ? .]
[n] [Trivet, I. 167.]
[o] 2 Chron. xiii. 7.
[p] [Peter de Rupibus or de Roches. The Chronicle of Lanercost gives him rather an

A. D. 1216. 1 Hen. III. two protectors successively, a sword man and a church man, the latter left the deeper impression on this our king Henry, appearing more religious than resolute, devout than valiant. His reign was not only long for continuance, fifty-six years, but also thick for remarkable mutations happening therein.

A. D. 1217. By what means king Henry so quickly recovered his kingdom.

25. Within little more than a twelvemonth he recovered the entire possession of his kingdom, many things concurring to expedite so great an alteration. First, the insolency of the French, disobliging the English by their cruelty and wantonness. Secondly, the inconstancy of the English (if starting loyalty's return to its lawful sovereign may be so termed), who, as for their own turns they called in Lewis, so for their turns they cast him out. Thirdly, the innocence of prince Henry, whose harmless age, as it attracted love to him on his own account, so he seemed also hereditarily to succeed to some pity, as the son of a suffering father. Fourthly, the wisdom and valour, counsel and courage of William earl of Pembroke his protector; who having got the French Lewis out of his covert of the city of London into the champion field, so mauled him at the fatal battle of Lincoln, that soon after the said Lewis was fain, by the colour of a composition, to qualify his retreat, not to say his flight, into the honour of a departure. Lastly and chiefly, the mercy of God to an injured orphan, and his justice that detained right, though late yet at last, should return to its proper owner.

unfavourable character, but this might have been because he advised king John to treat the pope's sentence of excommunication with scorn. The same chronicle mentions a very strange anecdote respecting this prelate, p. 23.]

26. But it were not only uncivil, but injurious for us to meddle with these matters, proper to the pens of the civil historians. We shall therefore confine ourselves principally to take notice in this king's reign, as of the unconscionable extortions of the court of Rome, on the one side, to the detriment of the king and kingdom: so of the defence which the king, as well as he could, made against it. Defence, which though too faint and feeble fully to recover his right from so potent oppression, yet did this good, to continue his claim and preserve the title of his privileges, until his son and successors in after-ages could more effectually rescue the rights of their crown from papal usurpation.

A. D. 1217. 1 Hen. III.

Our principal design in writing this king's life.

27. Indeed at this time many things emboldened the pope, not over-bashful of himself, to be the more busy in the collecting of money. First, the troublesomeness of the times and best fishing for him in such waters. Secondly, the ignorance of most, and the obnoxiousness of some of the English clergy. Now such as had weak heads must find strong backs, and those that led their lives loose durst not carry their purses tied, or grudge to pay dear for a connivance at their viciousness. Thirdly, the minority of king Henry, and (which was worse) his nonage after his full age; such was his weakness of spirit and lowness of resolution. Lastly, the pope conceiving that this king got his crown under the countenance of his excommunicating his enemies, thought that either king Henry's weakness could not see, or his goodness would wink at his intolerable extortions; which how great soever, were but a large shiver of that loaf which he had given into the king's hand. Presuming on the premises, Gualo the

Occasions of the pope's intolerable extortions.

A. D. 1217. 1 Hen. III. pope's legate, by his inquisitors throughout England, collected a vast sum of money of the clergy for their misdemeanours; Hugo bishop of Lincoln paying no less for his share than a thousand marks sterling to the pope, and an hundred to this his legate[q]. Yet when this Gualo departed, such as hated his dwelling here, grieved at his going hence, because fearing a worse in his room, choosing rather to be sucked by full than fresh flies, hoping that those already gorged would be afterwards less greedy.

A new design.

28. And being now to give the reader a short account of the long reign of this king, I shall alter my proceedings; embracing a new course which hitherto I have not, nor hereafter shall venture upon. Wherein I hope the variation may be not only pleasant but profitable to the reader, as scientifical and satisfactory in itself; namely, I will for the present leave off consulting with the large and numerous printed or manuscript authors of that age, and betake myself only to the tower-records, all authentically attested under the hands of William Ryley, Norroy, keeper of that precious treasury.

Good text, what'ere the comments.

29. When I have first exemplified them, I shall proceed to make such observations upon them, as according to my weakness I conceive of greatest concernment; being confident that few considerables in that age (which was the crisis of regal and papal power in this land) will escape our discovery herein.

[q] Mat. Paris, p. 299. [The ostensible reason for Gualo being sent over into England was to defend king Henry's right against Lewis and his supporters, whom the legate laid under sentence of excommunication. Alexander king of Scotland and his whole realm were for the same cause involved in the same sentence. Chron. de Lanercost, p. 23.]

30. Only I desire a pardon for the premising of this touch of state matters[r]. At this instant the commonwealth had a great serenity, as lately cleared from such active spirits, who nick-named the calm and quiet of peace, a sloth of government. Such Falkesius de Breaute[s] and others, who had merited much in setting this Henry the Third on the throne; and it is dangerous when subjects confer too great benefits on their sovereigns; for afterwards their minds are only made capable of receiving more reward, not doing more duty. These were offended, when such lands and castles which by the heat of war had unjustly been given them, by peace were justly took away from them, finding such uprightness in the king, that his power of protection would not be made a wrong doer. But now the old stock of such malecontents being either worn out with age or ordered otherwise into obedience, all things were in an universal tranquillity within the first seven years of this king's reign.

A.D. 1221. 5 Hen. III.

Serenity in the state.

[r] [Trivet. I. 174.]

[s] [During the troubles of John and the minority of his successor, this nobleman, the most powerful baron of his time, had pounced upon the counties of Northampton, Oxfordshire, Buckinghamshire, Bedfordshire, with the forests and castles adjacent. In 1221 he was compelled to resign his ill-gotten possessions; but in 1224, having fortified the castle of Bedford, and furnished it with men and ammunition, he rose against the king, was defeated, and experienced thenceforth such a reverse of fortune, that within a year, he who had exceeded all the nobility of England in wealth, power, and splendour, was now an exile in France, compelled to seek his bread by begging, and had not where to lay his head. ("etiam capitis reclinatorium "non haberet.") Trivet. I. 174, 180.]

THOMÆ HANSON,

AMICO MEO[a].

Displicet mihi modernus scribendi mos, quo monumenta indies exarantur. Literæ enim sunt fugaces, ut quæ non stabili manu penitus membranis infiguntur, sed currente calamo summam earum cuticulam vix leviter perstringunt. Hæ cum sæculum unum et alterum duraverint, vel linceis oculis lectu erunt perdifficiles.

Haud ita olim archiva, in turre Londinensi, Rotulis, Scaccario, &c. deposita; in quibus ingens scribarum cura, justa membranarum firmitas, atramentum vere Æthiopicum, integra literarum lineamenta, ut calamus prœli æmulus videatur. Ita adhuc vigent omnia, in illis quæ trecentis ab hinc annis notata, ut is cui characteris antiquitas minus cognita nuperrime descripta judicaret.

Ex his nonnulla decerpsi ad rem nostram facientia, et ea tibi dedicanda curavi, quem omnes norunt antiquitatis

[a] [Arms. A chevron compony argent and azure between three martlets sable. These arms were borne by an ancient family of this name seated at Rastrick as early as Henry III. They afterwards succeeded to the estates of Woodhouse by a marriage with an heiress of that family. See Visitation of Yorkshire, 1666. B.]

caniciem venerari: quo in Ducatus Lancastrensis chartulis custodiendis nemo fidelior, perlegendis oculatior, communicandis candidior.

ERE we begin with the king's precept to the sheriff of Buckinghamshire, considerable for the rarity thereof, though otherwise but a matter of private concernment. A.D. 1223. 7 Hen. III. A remarkable writ of the king to the sheriff of Buckinghamshire.

Pro Emma de Pinkeny.

Rex Vic. Bucking. salt. Precipimus tibi quod de maritagio Emme de Pinkeny uxoris Laurentii Peivre, qui excommunicatus est, eo quod predictam Emmam affectione maritali non tractat, eidem Emme rationabile estoverum suum invenias, donec idem Laurentius vir suus eam tanquam uxorem suam tractaverit ne iteratus clamor ad nos inde perveniat. [A. D. 1223.][b]

"To the high sheriff of Buck-
"inghamshire. We command
"you concerning [the marriage
"portion of] Emma de Pinkeny,
"wife of Laurence Peivre, who
"is excommunicated, because he
"does not use the foresaid Emma
"with affection befitting a hus-
"band, that you find for the said
"Emma estover in reasonable
"proportion, until the said Lau-
"rence her husband shall use her
"as becometh his wife, [that her
"complaint may not be brought
"before us again."]

Of this Laurence Pinkeny I can say nothing: only I find his family ancient, and barons of Wedon in Northamptonshire[c]. It seemeth strange he should be excommunicated for not loving usage of his wife, no incontinency appearing (proved against him), except his carriage was cruel in a high degree. By

[b] [Collated with the original in the Tower, 7 Hen. III. mem. 3. See also Hardy's Close Rolls, I. 561. This letter, or rather precept, was printed before very incorrectly. Among other errors, the name was given Laur. Pinkeney, instead of Laur. Peivre. See another and previous precept to the sheriff touching the same parties, 7 Hen. III. mem. 14.]

[c] Camden. Brit. in Northamptonshire, [p. 374.]

A D. 1223. 7 Hen. III.

estover, in our forest towns, we only understand a certain allowance of wood; though the extent of the word be far larger, importing nourishment, or maintenance in meat and cloth, as a learned lawyer hath observed[d]. This it seems being denied by her husband, the king enjoineth the sheriff that he should appoint the said Emma Pinkeny reasonable alimony, in proportion, no doubt, to her portion and her husband's estate.

A.D. 1223. A remarkable prohibition of papal appeals.

2. Next we take notice of a writing which the king sent over to the archbishop of Dublin, and which deserveth the reader's serious perusal.

"[e]REX Dublin. Archiepiscopo Justiciario Hi-
" berniæ salutem. Ad ea quæ vobis nuper nostris
" dedimus in mandatis ut nobis rescriberetis qua-
" tenus fuisset processum in causa Nicholai de
" Felda qui contra Abbatem et Canonicos Sti.
" Thomæ Dublinensis in curia nostra coram Justi-
" ciariis nostriis petiit duas carucatas terræ cum per-
" tinentiis in Kelredheri per assisam de morte ante-
" cessoris cui etiam coram eisdem Justiciariis objecta
" fuit bastardia propter quod ab ipsis Justiciariis

[d] Bracton, III. 18. [ed. 1569. Estoverium, from the French *estoffer* or *estouver*, that is, to provide material, to furnish *stuff*. Hence the word *stover* is used among our old writers, and in some places of England at the present day, in the sense of stuff or fodder for cattle; thus in Shakspeare's Tempest, Act. IV. Sc. 1.

" Thy turfy mountains where live
" nibbling sheep,
" And flat meads thatched with
" *stover* them to keep."

In a legal sense this term was used to signify, first, provision of food and clothing; afterwards, the wood or firing which one person might legally take from the lands of another for firing, hedging, &c. See Spelman's Glossary, s. v.]

[e] Claus. 8. Hen. III. memb. 17. *in dorso*. [Collated with the original. See also Hardy's Close Rolls, I. p. 629.]

" nostris ad vos fuit transmissus ut in foro eccle- A.D. 1223.
" siastico de ejus bastardia sive legitimitate cogno- 7 Hen. III.
" sceretis ; nobis per litteras vestras significastis
" quod cum in foro civili terram prædictam peteret
" per litteras nostras de morte antecessoris versus
" memoratos Abbatem et Canonicos objecta ei fuit
" nota bastardiæ quare in foro eodem tunc non fuit
" ulterius processum. Memoratus etiam Nicholaus
" de mandato Justiciariorum nostrorum in foro ec-
" clesiastico coram vobis volens probare se esse legiti-
" mum, testes produxit et publicatis attestationibus
" suis post diutinas altercationes et disputationes
" tam ex parte Abbatis quam ipsius Nicholai, cum
" ad calculum diffinitivæ sententiæ procedere vel-
" letis, comparuerunt duæ puellæ minoris ætatis,
" filiæ Ricardi de la Feldæ, patris prædicti Nicholai
" et appellaverunt ne ad sententiam ferendam proce-
" deretis, quia in hoc manifestum earum verteretur
" prejudicium eo quod alias precluderetur eis via
" petendi hereditatem petitam, nec possit eis sub-
" veniri per restitutionem in integrum. Unde de
" consilio virorum prudentum ut dicitis appellationi
" deferentes, causam secundum quod coram Nobis
" agitata est Domino Papæ transmisistis instructam.
" De quo plurimum admirantes non immerito mo-
" vemur cum de legitimitate prenominati Nicholai
" per testium productiones et attestationum publica-
" tiones plene vobis constiterit, vos propter appella-
" tionem puellarum predictarum contra quas non
" agebatur vel etiam de quibus nulla fiebat mentio
" in assisa memorata nec fuerunt aliquæ partes
" illarum in causa predicta sententiam diffinitivam
" pro eo distulistis pronunciare et male quasi no-
" strum declinantes examen, et volentes id quod

A.D. 1223. 7 Hen. III.

"per nostram determinandum esset jurisdictionem
"et dignitatem, ad alienam transferre dignitatem
"quod valde perniciosum esset exemplo; cum etiam
"si adeptus esset prædictus Nicholaus possessione
"terræ prædictæ per assisam prædictam, beneficium
"peticionis hæreditatis prædictis puellis plane sup-
"peteret in curia nostra, per breve de recto;
"maxime cum per litteras de morte antecessoris
"agatur de possessione et non de proprietate et ex
"officio vestro in casu proposito nihil aliud ad vos
"pertinebat, nisi tantum de ipsius Nicholai legiti-
"matu probationes admittere; et ipsum cum litteris
"vestris testimonialibus ad Justiciarios nostros re-
"mittere. De consilio igitur magnatum et fidelium
"nobis assistentium vobis mandamus firmiter injun-
"gentes quatenus non obstante appellatione præ-
"missa non differatis pro eo sentenciare ipsum ad
"Justiciarios nostros remittentes cum litteris vestris
"testimonialibus ut ei de loquela coram eis agitata
"postmodum possint secundum legem et consuetu-
"dinem terræ nostræ Hiberniæ Justiciæ plenitu-
"dinem exhibere. Teste Henrico, &c. apud Glouc.;
"xix. die Novembris." [A.D. 1223.][f]

The effect of the instrument.

3. The sum of this instrument is this. One Nicholas de Field suing for a portion of ground detained from him by the abbot of St. Thomas in Dublin, (founded and plentifully endowed in memory of Thomas Becket,) had bastardy objected against him. The clearing hereof was by the king's judges remitted to the courts ecclesiastical, where the said

[f] [Mr. Hardy in the preface to his edition of the Close Rolls has given the entire translation of this instrument. Vol. I. p. xxxiv.]

Nicholas produced effectual proofs for his legitimation. But upon the appeal of two minor daughters of the father of the said Nicholas, who never before appeared, and who, if wronged, had their remedy at common law, by a writ of right the matter was by the archbishop of Dublin transferred to the court of Rome. A.D. 1223. 7 Hen. III.

4. The king saith in this his letter that he did much admire thereat, and (though all interests express themselves to their own advantage) intimates the act not usual. And whereas he saith, "that the "example would be pernicious," it seems, if this were a leading case, the king's desire was it should have none to follow it, peremptorily enjoining the archbishop (notwithstanding the aforesaid appeal to the pope) to proceed to give sentence on the behalf of the said Nicholas, and not to derive the king's undoubted right to a foreign power. Appeal to the pope prohibited.

5. Indeed the kings of England were so crest-fallen, or rather crown-fallen in this age, that the forbidding of such an appeal appeareth in him a daring deed. *Est aliquid prodire tenus.* Essays in such nature were remarkable, considering the inundation of the papal power. Green leaves in the depth of winter may be more than full flowers from the same root in the spring. It seems some royal sap still remained in the English sceptre, that it durst oppose the pope in so high a degree. The time makes it the more remarkable.

6. In this year 1235 the Caursines first came into England, proving the pests of the land, and bane of the people therein[g]. These were Italians by birth, Caursines what they were.

[g] [See Spelman's Gloss. s. v. *Caursini.* Of their original and arrival in this country, see Mat. Paris, p. 417.]

A. D. 1235. 19 Hen. III. terming themselves the pope's merchants, driving no other trade than letting out money, great banks whereof they brought over into England; differing little from the Jews, save that they were more merciless to their debtors. Now because the pope's legate was all for ready money when any tax by levy, commutation of vows, tenths, dispensations, &c. were due to the pope, from prelate, convents, priests, or lay persons, these Caursines instantly furnished them with present coin upon their solemn bonds and obligations: one form whereof we have inserted.

[h]To all that shall see the present writing, Thomas the prior and the convent of Barnwell wish health in the Lord. Know that we have borrowed and received at London, for ourselves, profitably to be expended for the affairs of our church, from Francisco and Gregorio, for them and their partners, citizens and merchants of Milan, a hundred and four marks of lawful money sterling, thirteen shillings four pence sterling being counted to every mark. Which said one hundred and four marks we promise to pay back on the feast of St. Peter ad Vincula, being the first day of August, at the new temple in London, in the year 1235. And if the said money be not throughly paid, at the time and place aforesaid, we bind ourselves to pay to the foresaid merchants, or any one of them, or their certain attorney, for every ten marks, forborne two months, one mark of money for recompense of the damages which the foresaid merchants may incur by the not payment of the money unto them; so that both principal, damages, and expenses, as above expressed, with the expenses of one merchant with his horse and man, until such time as the aforesaid money be fully satisfied. For payment of principal, interest,

[h] [See the original Latin in Mat. Paris, p. 418.]

damages, and expenses, we oblige ourselves, and our church and successors, and all our goods, and the goods of our church, movable or immovable, ecclesiastical or temporal, which we have or shall have, wheresoever they shall be found, to the foresaid merchants and their heirs; and do recognize and acknowledge that we possess and hold the same goods from the said merchants by way of courtesy, until the premises be fully satisfied. And we renounce for ourselves and successors all help of canon and civil law, all privileges and clerkship, the epistle of St. Adrian, all customs, statutes, lectures, indulgences, privileges, obtained for the king of England from the see apostolic: as also we renounce the benefit of all appeals, or inhibition from the king of England, with all other exceptions real or personal, which may be objected against the validity of this instrument. All these things we promise faithfully to observe: in witness whereof we have set to the seal of our convent. Dated at London, *die quinto Elphegi*, in the year of Grace, 1235. A.D. 1235. 19 Hen. III.

Sure bind, sure find. Here were cords enough to hold Samson himself, an order taken they should never be cut or untied, the debtor depriving himself of any relief, save by full payment.

7. It will not be amiss to make some brief notes on the former obligation; it being better to write on it, than to be written in it, as the debtor concerned therein. Necessary observations.

One hundred and four marks] The odd four seem added for interest.

Feast of St. Peter ad Vincula] The Popish tradition saith that Eudoxia the empress, wife to Theodosius the younger, brought two great chains, wherewith Herod imprisoned St. Peter, from Jerusalem to Rome, where they are reported seen at this day, and a solemn festival kept on the first of August (the quarter pay-

A.D. 1235. 19 Hen. III.

day of Rome's revenues) in memorial thereof. But the name of Lammas hath put out St. Peter's chains in our English almanack.

New temple at London] In Fleet-street, founded by the knights templars, and dedicated by Heraclius patriarch of Jerusalem 1185. Called New in relation to ancient temple (less and less convenient) they had formerly in Holborn.

And our certain attorney] *Nuncius* in the Latin being one employed to solicit their suit.

All the goods of our church movable and immovable] Hence oftentimes they were forced to sell their chalices and altar-plate to pay the bond, and secure the rest of their goods, for these creditors.

Canon and civil law] Common law not mentioned herein, with which these Caursines, being foreigners, would have nothing to do.

Epistle of St. Adrian] This seems to be some indulgence granted by pope Adrian, the fourth perchance, whereby churches indicted found some favour against their creditors.

Die quinto Elphegi] I am not datary enough to understand this. I know Elphegus to be archbishop of Canterbury, and martyr, and his day kept the nineteenth of April: so that the money was borrowed but for three months; so soon did the payment or heavy forfeiture in default thereof return.

Caursines whence so called.

8. These Caursines were generally hated for their extortions. Some will have them called Caursines *quasi* Causa Ursini, so bearish and cruel in their causes: others Caursini *quasi* Corrasini, from scraping all together. But these are but barbarous allusions, though best becoming such base practices.

Foxes' hap and happiness.

9. Meantime the Caursines cared not what they were called, being a-kin to the cunning creature, which fareth best when cursed, and were indeed lords of the land according to scripture rule, *the*

borrower is servant to the lender. Many of the laity, more of the clergy and convents, and the king himself, being deeply indebted unto them. Indeed Roger Black, that valiant, learned, and pious bishop of London, once excommunicated these Caursines for their oppression: but they appealing to the pope, (their good friend,) forced him, after much molestation, to desist[i]. A.D. 1235. 19 Hen. III.

10. These Caursines were more commonly known by the name of Lombards, from Lombardy, the place of their nativity, in Italy. And although they deserted England on the decaying of the pope's power and profit therein, yet a double memorial remaineth of them. One of their habitation, in Lombard-street in London: the other of their employment, a Lombard unto this day signifying a bank for usury, or pawns, still continued in the Low Countries and elsewhere. Caursines and Lombards the same.

11. Meantime one may lawfully smile at the pope's hypocrisy, forbidding usury as a sin so detestable under such heavy penalties in his canon law, whilst his own instruments were the most unconscionable practisers thereof without any control. Deep hypocrisy.

12. Otho, cardinal, deacon of St. Nicholas, was sent the pope's legate into England, and going to Oxford, took up his lodging in the abbey of Osney[k]. To him the scholars in Oxford sent a present of victuals before dinner; and after dinner came to tender their attendance unto him. The porter being A.D. 1238. The present of the Oxford scholars to the legate,

[i] [See Mat. Paris, p. 419 and 875.]

[k] M. Paris, 1238. [p. 469. Wood's Annals, I. 222.] Ran. [Higden in Knyghton, p. 2440.] T. Walsingham, Hypodigm. Neustriæ, [p. 465. See the history of this quarrel in Thom. Wykes, p. 43.]

A. D. 1238. 22 Hen. III. an Italian, demanded their business: who answered him, that they came to wait on the lord legate; promising themselves a courteous reception, having read in scripture, *A man's gift maketh room for him*[1]: though here contrary to expectation they were not received. Call it not clownishness in the porter (because bred in the court of Rome), but carefulness for the safety of his master.

Ill requited. 13. But whilst the porter held the door in a dubious posture, betwixt open and shut, the scholars forced their entrance. In this juncture of time it unluckily happened that a poor Irish priest begged an alms, in whose face the clerk of the kitchen cast scalding water taken out of the caldron. A Welsh clerk beholding this, bent his bow (by this time the scholars had got weapons) and shot the clerk of the kitchen stark dead on the place[m].

The legate's brother killed by the scholars of Oxford. 14. This man thus killed was much more than his plain place promised him to be, as no meaner than the brother of the legate himself, who being suspicious (oh how jealous is guiltiness!) that he might find Italy in England, and fearing to be poisoned, appointed his brother to oversee all food for his own eating. And now the three nations of Irish, Welsh, and English, fell downright on the Italians. The legate fearing (as they came from the same womb) to be sent to the same grave with his brother, secured himself fast locked up in the tower of Osney church, and there sat still and quiet, all attired in his canonical cope.

[1] Prov. xviii. 16.

[m] [It was the fashion at that time for the secular scholars to go armed. See Wood, ib. 223.]

15. But he, it seems, trusted not so much to his canonical cope as the sable mantle of night; under the protection whereof he got out, with a guide, to make his escape; not without danger of drowning in the dark, being five times to cross the river, then swelling with late rain, as much as the scholars with anger. He made fords where he found none, all known passages being waylaid; and heard the scholars following after, railing on, and calling him usurer, simoniac, deceiver of the prince, oppressor of the people, &c., whilst the legate wisely turned his tongue into heels, spurring with might and main to Abingdon, where the court then lay. Hither he came being out of all breath and patience; so that entering the king's presence, his tears and sighs were fain to relieve his tongue, not able otherwise to express his miseries: whom the king did most affectionately compassionate. A.D. 1238. 22 Hen. III. The legate flies to the king.

16. And now woe to the poor clergy of Oxford, when both temporal and spiritual arms are prepared against them. Next day the king sent the earl Warren with forces against them, and a double commission, *eripere et arripere*, to deliver the remainder of the Italians (little better than besieged in Osney abbey), and to seize on the scholars, of whom thirty, with one Otho Legista (forward it seems in the fray against the legate his namesake), were taken prisoners, and sent like felons, bound in carts, to Wallingford prison, and other places of restraint. Oxford in a sad condition.

17. Nor was the legate lazy the while, but summoning such bishops as were nearest him, interdicted the university of Oxford, and excommunicated all such as were partakers in the tumult; Interdicted by the legate.

A.D. 1238. 22 Hen. III. which were not the young fry of scholars, but clerks in order, and many of them beneficed, and now deprived of the profit of their livings.

Who returns to London.

18. From Abingdon the legate removed to London, lodging at Durham-house in the Strand: the king commanding the major of London to keep him as the apple of his eye, with watch and ward constantly about him. Hither he assembled the bishops of the land to consider and consult about reparation for so high an affront.

The bishops intercede for the university.

19. The bishops pleaded hard for the university of Oxford, (as being the place wherein most of them had their education.) They alleged it was *secunda ecclesia*, a second church, being the nursery of learning and religion. They pleaded also that the churlishness of the porter let in this sad accident, increased by the indiscretion of those in his own family: adding also, that the clerks of Oxford had deeply smarted, by their long durance and sufferings, for their fault therein[n].

All are reconciled.

20. Mollified with the premises, the legate at last was over-entreated to pardon the clergy of Oxford, on their solemn submission, which was thus performed. They went from St. Paul's in London to Durham-house in the Strand, no short Italian, but

[n] [One of the most zealous champions for the university was the learned and pious bishop Grostete, who had procured the release of many of the scholars from the Tower, and other prisons, upon his own security. See Wood, ib. 227. He also solemnly excommunicated in the presence of the legate and the king all those who had laid violent hands upon the clerks, openly attributing the whole disturbance to the folly and incivility of the legate's household. (Wood, ib.) Another version of this tale will be found in the Chronicle which goes under the name of Thomas Wikes, p. 43, which being an Osney chronicle, is probably correct.]

an English long mile, all on foot; the bishops of England, for the more state of the business, accompanying them, as partly accessory to their fault for pleading in their behalf. When they came to the bishop of Carlisle's (now Worcester) house, the scholars went the rest of their way barefoot, *sine capis et mantellis*, which some understand, without capes or cloaks[o]. And thus the great legate at last was really reconciled unto them. A. D. 1238. 22 Hen. III.

21. The mention of the house of the bishop of Carlisle minds me how, anciently, every bishop (as all principal abbots) had a house belonging to their see (commonly called their inn) for them to lodge in when their occasions summoned them to London. Not to mention those which still retain their names, as Winchester, Durham, Ely, &c. We will only observe such which are swallowed up into other houses, conceiving it charitable to rescue their memory from oblivion. Bishops' ancient inns in London.

House.	*Place.*	*Built by*	*Turned into*
Salisbury,	Fleet-street,		Dorset-house.
St. David's,	North of Bridewell,		Small tenements.
Chichester,	Chancery-lane,	Ralph Nevil, bp. of Chichester.	Lincoln's Inn.
Exeter,	By Temple-bar,	Walter Stapleton, bp. of Exeter.	Essex-house.
Bath and Wells,	Strand,		Arundel-house.
Llandaff,	Strand,		Somerset-house.
Worcester,	Strand,		Somerset-house.
Lichfield and Coventry,	Strand,	Walter Lancton, bp. of Chester.	Somerset-house.
Carlisle,	Strand,		Worcester-house.
Norwich,	Strand,		York-house.
York,	Westminster,		White-hall.
Hereford,	Old Fish-street hill,	Ralph de Maydenston, bp. of Heref.	A sugar-maker's house.

o [Rather, *without their hoods and gowns.* In token that the university was dissolved; for immediately afterwards the legate restores the university to its privileges. Mat. Paris, 470.]

A. D. 1238. 22 Hen. III. I question whether the bishop of Rochester (whose country house at Bromley is so nigh) had ever a house in the city[p]. Let others recover the rest from oblivion; a hard task, I believe, they are so drowned in private houses. O let us secure to ourselves everlasting habitations, seeing here no abiding mansion[q].

A valiant offer. 22. Come we now to present the reader with another offer of the king's (I fear it was not much more) to repress papal oppression.

A. D. 1241. *Rex dilecto sibi in Christo archidiacono Glouc. salutem. Significavimus, et etiam viva voce exposuimus magistro P. Rubeo, nuncio Domini papæ,*

The king to his beloved in Christ the archdeacon of Gloucester, greeting. We have signified, and also by word of mouth have declared to Mr. P. Rubeus,

[p] "[There is no question but "he had: Stow finding it in "Southwark by the name of "Rochester house, adjoining "on the south side to the bi- "shop of Winchester's, ruinous "and out of reparation in his "time, as possibly not much "frequented since the building "of Bromley house, and since "converted into tenements for "private persons."——"But "since our author hath desired "others to recover the rest "from oblivion, I shall help "him to the knowledge of two "more, and shall thank any "man to find out the third. "The first of these two is the "bishop of Lincoln's house, "situate near the old temple "in Holborn, first built by "Robert de Chesney, bishop "of Lincoln a. 1147, since "aliened from the see to the "earls of Southampton, and "passing by the name of "Southampton house. The "second is the bishop of Ban- "gor's, a fair house in Shoe- "lane near St. Andrew's "church, of late time leased "out by the bishops, and not "long since the dwelling "of doctor Smith, doctor in "physic, a right honest and "ingenious person, and my "very good friend. Of all the "old bishops' [houses which] "were founded before king "Harry the Eight, there is "none whose house we have "not found but the bishop of "Asaph; to the finding where- "of, if our author, or any "other will hold forth the "candle, I shall follow the "light the best I can, and be "thankful for it." Heylyn in the Appeal, &c. p. 31.]

[q] Luke xvi. 9.

quod non est intentionis nostræ, nec etiam volumus aliquatenus sustinere, quod vel viros religiosos vel clericum aliquem ad contributionem faciendam ad opus Domini papæ compellant. Et ideo vobis mandamus inhibentes districte, ne ad mandatum ipsius magistri Petri vel suorum, viros religiosos seu clericos ad contributionem prædictam faciendam aliqua censura ecclesiastica compellatis. Scituri quod si secus egeritis, nos contra vos tanquam perturbatorem pacis ecclesiasticæ, quam conservare tenemur, modis quibus expedire viderimus, procedemus. Teste rege apud Glouc. 11. *die Junii.*[r]

nuncio to the lord the pope, that it is not our intention, nor will we any ways endure it, that they shall compel religious men, or any clerk, to make a contribution to supply the occasions of the lord the pope. And therefore we command you, strictly forbidding, that at the command of the said Mr. Peter, or any of his officers, you compel not any religious men, or clerks, by any ecclesiastical censures to make the aforesaid contribution. Knowing that if you do otherwise, we shall proceed against you by means we shall think fit, as against the disturber of the peace of the church, which we are bound to preserve. Witness the king at Gloucester, the 11th of June. A.D. 1241. 25 Hen. III.

By the way, a nuncio differed from a legate, almost as a lieger from an extraordinary ambassador; who though not so ample in his power, was as active in his progging, to advance the profit of the pope his master.

23. This instrument acquainteth us with the method used by him in managing his money matters. Such as refused to pay his demands were proceeded against by church censures, suspension, excommunication, &c. The cunning Italian (to decline the odium) employing the archdeacons to denounce the same in their respective jurisdictions. Yet this went under the notion of a voluntary contribution, as free A free-forced gift.

[r] Pat. 25 of Henry III. mem. 6. [Collated with the original.]

A. D. 1241. 25 Hen. III. as fire from flint, forced with steel and strength out of it.

Spoken like a king.

24. Whereas the king counted himself bound to preserve the peace of the church, the words well became his mouth. They seem to me to look like DEFENDER OF THE FAITH as yet but in the bud, and which in due time might grow up to amount to as much. For though every Christian in his calling must keep the peace of the church, kings have a coercive power over the disturbers thereof.

Say and do, best.

25. This royal resolution, to resist the oppressing of his subjects, was good as propounded, better if performed. I find no visible effect thereof: but we may believe, it made the pope's mill go the slower, though it did not wholly hinder his grinding the faces of the clergy. This patent is dated from Gloucester, more loved of king Henry than London itself, as a strong and loyal city, where he was first crowned, and afterwards did often reside.

A pension given by the pope to an English earl.

26. Amongst the thousands of pounds which the pope carried out of England, I meet only with three hundred marks yearly, which came back again as a private boon, bestowed on an English knight, sir Reginald Mohun[s], by pope Innocent the Fourth, then keeping his court at Lyons in France. And because these are *vestigia sola retrorsum*, it will not be amiss to insert the whole story thereof as it is in an ancient French manuscript pertaining to the family of the Mohuns.

" Quant sire Reinalda voit ceo faitz, il passa a la " court de Rome que adonques fuist a Lions, pur

[s] [This Reginald de Mohun founded the abbey of Newenham in the manor of Axminster. Monast. I. 928.]

" confirmer et ratifer sa novelle abbay a grand honor A.D. 1241.
" de liu a touz joues, et fuist en la courte le deni- 25 Hen. III.
" ergne en quaresme, quant lenchaunce loffice del
" messe *Lætare Jerusalem*, al queun jour lusage de la
" court este que lapostoille doa a plus valiant et a
" plus honorable home qui puit estre trovez en la
" deste courte une rose ou une floretta de fin or.
" Donquez ilz sercherent tote la courte, entroverent
" cesti Reinald pur le plus noble de toute la courte
" a qui le pape Innocent donna celle rose ou florette
" dor et la papa lui damanda quil home il fuist en
" son pais. Il respondi simple bachelerie. Beau fitz,'
" fetz la pape, 'celle rose ou florette unquez ne fuist
" donez fors au rois ou au dukes ou a countese; pour
" ceo nous voluns que vous sons le counte de Est,"
" ceo est Somerset. Reinald respondi et aist 'O Saincte
" Piere ieo nay dont le nom meinteyner.' Lapos-
" stoille donques lui dona ducent marcz per annum
" receiver sur cantre saint Paule de Londres de ces
" denieres d'Engleterre pour son honor mainteyner;
" de queu donna il reporta bulles que enquore aurent
" en plombs, &c. en semblement odue moltes dis
" aultres bulles de confirmatione de sa novelle abbay
" de Newham apres queu jour il porta la rose ou
" florette en les armes[t]."

It is as needless as difficult to translate this bull verbatim, being of base, obsolete, and ill-pointed French; sufficeth it, that this is the sum thereof. The pope used on the Lord's day, called *Lætare*

[t] [This passage was most wretchedly printed in the previous edition; having been transcribed by some very ignorant person, so as to be almost unintelligible throughout. I have corrected it from conjecture, not having been able to discover the original.]

A.D. 1241. 25 Hen. III. *Jerusalem*, solemnly to bestow a consecrated rose on the most honourable persons present at mass with his holiness. Inquiry being made, the rose was conferred on sir Reginald Mohun, as the best extracted in the present congregation.

But seeing that rose used always to be given to kings, dukes, and earls at least, (the lowest form of coroneted nobility in that age,) his holiness understanding the same sir Reginald to be but a plain knight bachelor, created him the earl of Est, that is, saith this bull, of Somerset; and for the better support of his honour he allowed him three hundred[u] marks out of the pence of England, (understand the Peter-pence,) as the most certain papal revenue in the land.

By this bull the same sir Reinald was made a count apostolic, whereby he had the privileges to appoint public notaries, and to legitimate bastards on some conditions. King Henry the Third was so far from excepting against this act, that he highly honoured him. And yet master Camden sometimes acknowledgeth[v], sometimes denieth[w] him for an English earl. Not that I accuse him as inconstant to himself, but suspect myself not well attaining his meaning therein.

There are rich who make themselves poor.

27. Now though the said sir Reginald did modestly decline the pope's honour for want of maintenance, yet had he at that time no fewer than forty-three knights' fees held of his castle of Dunstar. I have nothing else to add herein, save that the

[u] [Rather two hundred.]

[v] In his Brit. in Somersetshire. [p. 161.]

[w] In his Elizabeth in the case of count Arundel. [a. 1596.]

ancient arms of the Mohuns, viz. a hand in a maunch holding a fleur-de-lis, (in that age more fashionable than a rose in heraldry,) seems to relate to this occasion; which their family afterward changed into a sable cross, in the achievements in the Holy Land, borne at this day by the truly honourable the lord Mohun, baron of Oakhampton, as descended from this family. A.D. 1241. 25 Hen. III.

28. This year died Robert Grouthead, bishop of Lincoln, born at Stradbrook in Suffolk, *natalibus pudendis* saith my author[x], of shameful extraction, intimating suspicion of bastardy: though the parents, rather than the child, have caused a blush thereat. He got his surname from the greatness of his head, having large stowage to receive, and store of brains to fill it: bred for a time in Oxford, then in A.D. 1253. The death of bishop Grouthead.

[x] Godwin [de Præsulibus Ang. p. 289. Godwin's words are, "natalibus ob-"scuris ne dicam pudendis." ——It is questionable whether Fuller's interpretation of these words be correct. None of the chroniclers at all events fasten this imputation upon Grostete, although they all follow Trivet in describing him as sprung "ima de gente," p. 204. Godwin brings forward no testimony in corroboration of his assertion: and it is positively denied by Collyer in his Eccl. Hist. vol. I. p. 462, upon the authority of archbishop Parker, in his Antiq. Brit. p. 168, "who reports "him honourably descended, "and appeals to a pedigree "for proof." The bishop's real name, says Dr. Gale in a note to Godwin, p. 289, was Copley, and he was descended from a noble and ancient family of that name in Yorkshire. There is a tolerably correct and pleasing life of him written in verse by a monk called Richard of Bardney, in Wharton's Ang. Sac. vol. II. p. 326, which appears to have been composed from traditions of him current in Lincolnshire at that time; and its veracity is supported by our best chroniclers. See also Trivet, p. 201, and the Chron. de Lanercost, an. 1253. A full and correct account of him will be found in Pegge's Life of Grostete. More succinct information will be found in Cave's Hist. Litt. Oudinus de Script. Eccles., and in Wood's Annals, I. 198. His Opuscula and several of his letters are in the second volume of Brown's Fasciculus.]

A.D. 1253. 37Hen.III. France: a great and general scholar, (Bale reckoning up no fewer than two hundred books of his making,) and a great opposer of the pope's oppression, which now grew intolerable.

The pope's fume against this good bishop.

29. For it appeared by inquisition made the last year, that the ecclesiastical revenues of Italians in England (whereof many were boys, more blockheads, all aliens) amounted per annum unto threescore and ten thousand marks: whereas the king's income at the same time was hardly twenty thousand[y]. Gishop Grouthead offended thereat, wrote pope Innocent the Fourth such a juniper letter, taxing him with extortion, and other vicious practices, that his holiness brake out into this expression; "What meaneth this doating old man, "*surdus et absurdus*, thus boldly to control our "actions? By Peter and Paul, did not our innate "ingenuity restrain us, I would confound him, and "make him a prodigy to the whole world. Is not "the king of England our vassal, yea our slave, to "imprison and destroy what persons we please to "appoint?"

quenched by a Spanish cardinal.

30. The pope being in this pelt, Ægidius a Spanish cardinal thus interposed his gravity. "It is not ex-"pedient, my lord, to use any harshness to this "bishop. We must confess the truths which he "saith. He is a holy man, of a more religious life "than any of us, yea Christendom hath not his "equal; a great philosopher, skilled in Latin and "Greek, a constant reader in the schools, preacher

[y] Matthew Paris, p. 874. [See particularly the Fœdera, I. 263, 281, 350, 393, comparing with them the Annales Burton. p. 309, and Mat. Paris, p. 700.]

"in the pulpit, lover of chastity, and loather of "simony." A. D. 1253. 37 Hen. III.

31. Thus the pope took wit in his anger, and Grouthead escaped for the present: though Bale reporteth that he died excommunicate and deprived of his bishopric. Popish[a] authors confidently report a strange vision, or rather a passion of pope Innocent the Fourth, whom Grouthead (appearing after his death) so beat with many blows, (it seems he had a heavy hand as well as a great head,) that the pope died thereof soon after. No wonder therefore if his successors would not canonize this Robert, who notwithstanding was a saint, though not in the pope's, yet in the people's calendar, many miracles being ascribed unto him; and particularly, that a sweet oil after his death issued out of his monument[b]: which if false in the literal, may be true in a mystical meaning, Solomon observing, that *a good name is as ointment poured out.* Grouthead the people's, though not the pope's saint.

32. England began now to surfeit of more than thirty years' peace and plenty, which produced no better effects than ingratitude to God, and murmuring at their king. Many active spirits, whose minds were above their means, offended that others beneath them (as they thought) in merit, were above them in employment, cavilled at many errors in the king's government, being state Donatists, maintaining the perfection of a commonwealth might, and ought to be attained. A thing easy in the theory, impossible in the practice, to conform the actions of men's cor- Discontents begin in England.

[a] John Burie. [MS. ibid.] Mat. Paris, [p. 883.] Mat. Westminster, [in a. 1254.] Mr. Fabian's [Chron. part VII. f. 25. first edition.]

[b] Godwin, [ib. p. 291.]

A.D. 1254. 38 Hen. III. rupted natures to the exact ideas in men's imaginations.

Grounded on too much occasion.

33. Indeed they had too much matter whereon justly to ground their discontents: partly because the king (distrusting his natives) employed so many French foreigners in places of power and profit; partly because he had used such indirect courses to recruit his treasuries, especially by annihilating all patents granted in his minority, (though indeed he was never more in his full age than when in his nonage, as guided then by the best counsel,) and forcing his subjects to take out new ones on what terms his officers pleased. In a word, an author[c] then living complaineth, "that justice was committed to men "unjust, the laws to such who themselves were out-"laws, and the keeping of the peace to injurious "people delighting in discords."

A title without power only left to the king.

34. After many contests betwixt the king and his subjects, (which the reader may learn from the historians of the state,) four and twenty prime persons were chosen by parliament to have the supreme inspection of the land: which soon after (to make them the more cordial) passed a decoction, and were reduced to three, and they three in effect contracted to one, Simon Mountfort, earl of Leicester, the king's brother-in-law: the king himself standing by as a cipher, yet signifying as much as his ambitious subjects did desire. These, to make sure work, bound him with his solemn oath to submit himself to their new-modelled government.

The pope freely gives his cour-

35. Here the pope (charitable to relieve all distressed princes) interposed his power, absolving the

[c] Roger Wendover, [in Mat. Paris.]

king from that oath, as unreasonable in itself, and forced upon him. His holiness was well paid for this great favour; the king hereafter conniving at his horse-leeches (legates and nuncios) sucking the blood of his subjects with intolerable taxations. Thus was it not altogether the flexibility of king Henry, but partly the flexion of his condition, (I mean the altering of his occasions,) which made him sometimes withstand, and otherwhiles comply with the pope's extortion. Thus always the pope's courtesies are very dear; and the storm itself is a better shelter than the bramble, fleecing such sheep as fly under the shade thereof[d].

A.D. 1254. 38 Hen. III.

tesies for money.

36. Meantime the king, having neither coin nor credit, having pawned his jewels, mortgaged all his land in France, and sold much of it in England, wanting wherewithal to subsist, lived on abbeys and priories; till his often coming and long staying there made what was welcome at the first quickly to become wearisome. Though a royal guest, with often coming his royalty made not his guestship the more accepted, but the notion of a guest rendered his royalty the less to be esteemed. Indeed his visits of abbeys at first did wear the countenance of devotion, (on which account this king was very eminent,) but afterwards they appeared in their own likeness, the dimmest eye seeing them to proceed from pure necessity.

Sad case when the royal root is no better than a sucker.

37. Soon after began the civil wars in England,

No part of church-work.

[d] [The pope sent a legate *a latere* in 1261 to absolve the king and his adherents from the oath taken by them at Oxford, and to fulminate the sentence of excommunication against those who were in rebellion against the king. Chron. de Lanercost. in this year.]

A.D. 1254. 38 Hen. III. with various success, sometimes the king, and sometimes the barons getting the better; till at last an indifferent peace was concluded for their mutual good, as in the historians of the commonwealth doth plentifully appear.

Bettered by affliction. 38. The latter part of the reign of king Henry was not only eminent in itself, but might be exemplary to others. He reformed first his own natural errors, then the disorders in his court, the expense whereof he measured by the just rule of his proper revenue. The rigour and corruption of his judges he examined, and redressed by strict commission, filled the seats of judgment and counsel with men nobly born, sat himself daily in council, and disposed affairs of most weight in his own person.

Charta magna first fully practised. 39. And now the *charta magna* was very strictly observed, being made in the ninth year of this king's reign, but the practice thereof much interrupted and disturbed with civil wars, it is beheld by all judicious men as (like the *aurea bulla*, or golden bull of Germany) the life of English liberty, rescued by the blood and valour of our ancestors from tyrannical encroachment, giving the due bounds to prerogative and propriety, that neither should mutually intrench on the other's lawful privileges. And although some high royalists look on it as the product of subjects' animosities, improving themselves on their prince's extremities, yet most certain it is, those kings flourished the most both at home and abroad, who tied themselves most conscientiously to the observation thereof.

Balliol college built by a banished prince. 40. Two colleges in Oxford were founded in the reign of this king. One, Balliol college, by John

Balliol (and Dervorguill his lady)[dd] of Bernard's castle in the bishopric of Durham, banished into England, and father of Balliol king of Scotland[e]. Wonder not that an exile should build a college, charity being oftentimes most active in the afflicted, willingly giving to others a little of that little they have: witness the Macedonians, *whose deep poverty abounded to the riches of their liberality*[f]. A.D. 1262. 46 Hen. III.

41. True it is, the ancient revenues of this college were not great, allowing but [g]eight pence a week for every scholar therein of his foundation, (whereas Merton college had twelve pence,) and yet, as one casteth up[h], their ancient revenues amounted unto ninety-nine pounds seventeen shillings and ten pence; which in that age, I will assure you, was a considerable sum, enough to make us suspect that at this day they enjoy not all the original lands of their foundation. Great revenues for that age.

42. Indeed, I am informed that the aforesaid king Balliol bestowed a large proportion of land in Scotland on this his father's foundation. The master and fellows whereof petitioned king James (when the marches of two kingdoms were newly made the middle of one monarchy) for the restitution of those lands detained from them in the civil wars betwixt Endowed with more land than now it possesseth.

[dd] [There is an epitaph upon this Dervorvilla de Balliol, but in wretched doggrel, in the Chron. de Lanercost, an. 1289.]

[e] [According to Wood not founded till after Merton and University. "What was done "in order to it by sir John "Balliol, knight, while he was "living, was an. 1268 or 1267 "at least, and then no more "but to exhibit to certain poor "scholars of Oxford, till such "time he could conveniently "procure an habitation for, "and settle lands on, the scho- "lars thereof." Hist. of Univ. &c. p. 70.]

[f] 2 Cor. viii. 2.

[g] Roger Walden, in his History, [quoted by Twyne.]

[h] Bri. Twyne, Antiq. Acad. Oxon. in Appendice.

A.D. 1262. 46Hen.III. the two crowns. The king, though an affectionate lover of learning, would not have his bounty injurious to any (save sometimes to himself); and considering those lands they desired were long peaceably possessed with divers owners, gave them notice to surcease their suit. Thus not king James, but the infeasibility of the thing they petitioned for to be done with justice, gave the denial to their petition.

The author's request to the learned in Oxford.

43. Being to present the reader with the catalogues of this and other worthy foundations in Oxford, I am sorry that I can only build bare walls, (erect empty columns,) and not fill them with any furniture: which the ingenuous reader, I trust, will pardon, when he considers, first, that I am no Oxford man; secondly, that Oxford is not that Oxford wherewith ten years since I was acquainted[h]. Wherefore I humbly request the antiquaries of their respective foundations (best skilled in their own worthy natives) to insert their own observations; which if they would return unto me against the next edition of this work, if I live, and it be thought worthy thereof, God shall have the glory, they the public thanks, and the world the benefit of their contribution to my endeavours.

Four necessary things premised.

44. The catalogue of masters we have taken with an implicit faith out of Mr. Brian Twyne (who may be presumed knowing in that subject) until the year 1608, where his work doth determine: since which time we have supplied them as well as we may, though too often at a loss for their Christian names. If Mr. Twyne his register be imperfect, yet he writes right who writes wrong, if following his copy.

[h] [When he took refuge there in the time of the civil wars.]

45. The list of bishops hath been collected out of Francis Godwin, bishop of Hereford, whose judicious pains are so beneficial to the English church. Yet *Godwinus non vidit omnia*, and many no doubt have been omitted by him. A.D. 1262. 46 Hen. III. Whence the bishops are collected.

46. As for the roll of benefactors, I, who hope to have made the other catalogues true, hope I have made this not true; upon desire and confidence that they have more than I have, or can reckon up, though following herein I. Scot his printed tables, and the last edition of John Speed his chronicle. Whence the benefactors.

47. The column of learned writers I have endeavoured to extract out of Bale and Pitts. Whereof the latter being a member of this university, was no less diligent than able to advance the honour thereof. Whence the learned writers.

48. Let none suspect that I will enrich my mother by robbing my aunt. For besides that Cambridge is so conscientious, she will not be accessary to my felony by receiving stolen goods. No wilful wrong done.

Tros, Tyriusve mihi nullo discrimine habetur:
A Trojan whether he
Or a Tyrian be,
All is the same to me.

It matters not whether of Cambridge or Oxford, so God hath the glory, the church and state the benefit of their learned endeavours.

49. However, I am sensible of many defects, and know that they may be supplied by the endeavours of others. Every man knows his own land better than either Ortelius or Mercator, though making the maps of the whole world. And the members of respective colleges must be more accurate in the particularities of their own foundations, than the Add and mend.

A. D. 1262. 46 Hen. III. exactest historian who shall write a general description thereof.

Masters.	*Bishops.*	*Benefactors.*	*Learned writers.*
1282.[h] Jo. Foderinghay.	Roger Whelpdale, fellow, bishop of Carlisle.	Philip Somervile, and Marg. his wife.	Jo. Duns Scotus, first of this, then of Merton college.
1360. Jo. Wickliffe.	Geor. Nevill, chancellor of the university at twenty years of age, afterwards archbishop of York, and chancellor of England.	Ella de Long-Spee, countess of Salisbury.	Humfrey duke of Gloucester, commonly called the Good.
1423. Rob. Burley.	Will. Gray, bishop of Ely.	Rich. de Humsnigore.	Will. Walton, fellow, chancellor of the university.
1451. Rob Thwaites.	Jo. Bell, bishop of Worcester.	L. Will. Fenton.	Tho. Gascoign, fellow, chancellor of the university.
1477. Rob. Abdy.	[Geo. Cootes, bishop of Chester.]	Hugh de Vienna, knight.	i John Tiptoft, earl of Worcester.
1497. Ric. Bernigham.	Joh. Piers, archbishop of York.	John Bell, bishop of Worcester.	Rob. Abbot.
1518. Rich. Stubbes.	Rob. Abbot, bishop of Salisbury.	Wil. Hammond, of Gilford, esq.	
1525. Will. White.	Geo. Abbot, fellow, archbishop of Canterbury.	Peter Blundell, of Tiverton.	
1539. Geo. Cootes.		L. Eliz. Periam, of the county of Buck.	
1545. Will. Wright.		Tho. Tisdale, of Glymton, com. Oxon, esq.	
1547. Ja. Brooks, [afterwards bishop of Gloucester.]		Mary Dunch.	
1559. Fran. Babington.		John Brown.	
1560. Anth. Garnet.			
1563. Rob. Hooper.			
1570. Jo. Piers.			
1571. Adam Squier.			
1580. Edm. Lylly.			
1609. Rob. Abbot.			
1616. Dr. Parkhurst.			
1637. Dr. Laurence.			
1650. Dr. Savage.			

That John Wickliffe here mentioned may be the great Wickliffe; though others justly suspect him not the same, because too ancient, if this catalogue be complete, to be the fourth master of this house, except they were incredibly vivacious. Nothing else have I to observe of this foundation, save that at this day therein are maintained one master, twelve fellows, thirteen scholars, four exhibitioners; which, with servants, commoners, and other students, lately made up one hundred thirty and six.

[h] [The dates of the masters both here and below I have inserted in the text from Wood.]

[i] See more of him in our dedication to the second book. FULLER.

50. Nor must we forget that (besides others) two eminent judges of our land were both contemporaries and students in this foundation; the lord chief baron Davenport, and the lord Thomas Coventry, lord chancellor of England, (whose father also, a judge, was a student herein.) So that two great oracles, both of law and equity, had here their education. A. D. 1262. 46 Hen. III. A pair of learned judges.

51. The other was university college: whereof I find different dates, and the founding thereof ascribed to several persons[j]. University college founded.

Founder.	*Time.*	*Author.*
1. King Alfred.	Anno 882.	1. Universal tradition.
2. William de Sto. Carilefo, bishop of Durham.	1081, the 12th of king William the Conqueror.	2. Stow in his Chronicle, p. 1061, to whom Pitz consenteth.
3. William, bishop of Durham, though none at this time of the name.	1217, in the first of Henry III.	3. John Speed, in his History, p. 817.
4. William, archdeacon of Durham, whom others confidently call Walter.	uncertain[k].	4. Camd. Brit. in Oxfordshire.

I dare interpose nothing in such great differences, only observe that master Camden (no less skilful a herald in ordering the antiquity of houses than martialling the precedency of men) makes University the third in order after Merton college: which makes me believe the founding thereof not so ancient as here it is inserted[l].

[j] [See Wood's Hist. of Colleges, I. 38, 39. Who were the founders seems very doubtful. The three Williams are probably one and the same person.]

[k] [Yet unquestionably a benefactor: he left three hundred and ten marks for supporting ten or twelve masters in the schools of Oxford.]

[l] [Ant. Wood places Uni-

A. D. 1262. 46Hen.III.

Masters.	*Bishops.*	*Benefactors.*	*Learn.*
1026. Roger Caldwell [m].	St. Edmond, archbishop of Canterbury.	Walter Shirlow, archdeacon of Durham, } Three fellowships.	
1426. Richard Wytton.			
1488. M. Rokesborough.		Henry Percy, earl of Northumberland, } Three fellowships.	
1509. Ranulph Hamsterley.			
1518. Leonard Hutchinson.			
1546. John Craford.			
1547. Richard Salvaine.		R. Dudley, earl of Leicester, } Two exhibitions, each 20*l.* per annum.	
1551. George Ellison.			
1557. Anthony Salvaine.			
1558. James Dugdale.			
1561. Thomas Key.		John Frestone, } Two exhibitions, 20*l.* in all per annum.	Some ch... ritable ... able and ... quary ... up this ... cuity.
1572. William James.			
1584. Anthony Gates.			
1597. George Abbot.			
1609. John Bancroft.		[Rob. Gunsley] } Two exhibitions.	
1632. [Thomas] Walker.			
1648. [Joshua] Hoile.		Mrs. Payn, } One exhibition, 8*l.*	
1655. [Francis Johnson.]			
		Mr. Aston.	
	George Abbot, archbp. of Cant. Jo. Bancroft, bishop of Oxford.	Sir Simon Bennet, who hath bequeathed good lands (after the decease of his lady) to increase the fellows and scholars.	
		Mr. Charles Greenwood, sometime fellow of this college, and proctor to the university, gave a thousand pounds to the building thereof.	

So that at this present are maintained therein one master, eight fellows, one Bible-clerk: which with servants, commoners, and other students, amount to the number of threescore and nine.

Jews damnable extortioners.

52. Sure it is, at this time Oxford flourished with multitude of students; King Henry conferring large favours upon them, and these among the rest. That no Jews living at Oxford should receive of scholars above two pence a week interest for the loan of

versity college before Merton; and altogether rejects the report of king Alfred being its founder. Hist. of Colleges, &c. p. 37.]

[m] [Wood omits the name of Caldwell; and mentions the name of nine masters previous to Wytton, as well as of others subsequently omitted by Fuller. Ib. 51.]

[n] [Bishop of Durham. Wood, ib. p. 46.]

twenty shillings, that is, eight shillings eight pence for the interest of a pound in the year[o]. Hereby we may guess how miserably poor people in other places were oppressed by the Jews, where no restraint did limit their usury; so that the interest amounted to the half of the principal. A. D. 1262. 46 Hen. III.

53. Secondly, whereas it was complained of, that justice was obstructed, and malefactors protected by the citizens of Oxford, who being partial to their own corporation, connived at offenders who had done mischiefs to the scholars; the king ordered, that hereafter not only the citizens of Oxford, but also any officers in the vicinage should be employed in the apprehending of such who offered any wrong to the students in the university. A second privilege.

54. Lastly, he enjoined the bailiffs of Oxford solemnly to acquaint the chancellor thereof, of those times when bread and other victuals were weighed and prized. But in case the chancellor had timely notice thereof, and refused to be present thereat, then the bailiffs notwithstanding his absence might proceed in the foresaid matters of weight and measure. The third privilege.

55. We will conclude this section with this civil and humble submission of the dean and chapter of St. Asaph, sent to the king in the vacancy (as it seems) of their bishopric; though dislocated and some years set back in the date thereof. The submission of the dean and chapter of St. Asaph.

De recognitione Decani et Capit. de Sancto Asapho.

"[p] Universis Christi fidelibus ad quos presens

[o] Claus. 22. Hen. III. mem. 9. in dorso.

[p] Pat. 33. Hen. III. mem. 3. [Collated with the original in the Tower.]

A.D. 1262. 46Hen.III.

"scriptum pervenerit, decanus et capitulum de "sancto Asapho salutem in Domino. Consuetudini "antique et dignitati quas Dominus Henricus il- "lustris rex Angl. et progenitores sui habuerunt in "ecclesia Anglicana, de petenda licentia eligendi "vacantibus episcopatuum sedibus, et de requirendo "assensu regio post factam electionem, obviare no- "lentes; protestamur et recognoscimus, nos, quotiens "ecclesia nostra pastore vacaverit, ab illustri domino "rege Angl. et heredibus suis debere reverenter "petere licentiam eligendi, et post electionem factam "assensum eorum requirere. Et ne super hoc fu- "turis temporibus dubitetur, presenti scripto sigilla "nostra fecimus apponi. Act. apud sanctum Asaph. "Anno Domini M°. cc.xlix°. in crastino exaltationis "sanctæ crucis."

The substance is this: That the dean and chapter promise to depend wholly on the king's pleasure in the choice of the next elect: so that now cathedrals began to learn good manners. Notwithstanding the pope usually obtruded whom he pleased upon them. Say not that St. Asaph was an inconsiderable cathedral, being at great distance and of small revenue, which might make them more officious to comply with the king: seeing the poorest ofttimes prove the proudest and peevishest to their superiors. But although this qualm of loyalty took this church for the present, we must confess that generally, chapters ask the king's leave, as widows do their fathers' to marry; as a compliment not requisite thereunto: as conceiving it civility to ask, but no necessity to have his approbation.

Edmond archbishop of Canterbury.

56. Two eminent archbishops of Canterbury successively filled that see during the most part of this

king's reign. First, Edmond [of Abingdon], treasurer of Salisbury, born, say some, in London, and christened in the same font with Thomas Becket. My author[p] makes him educated in University college in Oxford, a great scholar, and lover of learned men. Refusing to consecrate Richard Wendover bishop of Rochester because of his want of sufficiency for such a function; hereupon he incurred the displeasure of Otho the pope's legate siding with Wendover, (requiring no other qualification save money to make a bishop,) and was enforced to undertake a dangerous and expensive journey to Rome, to his great damage, and greater disgrace, being cast in his cause after the spending of a thousand marks therein. A.D. 1262. 46 Hen. III.

57. He took the boldness to tell the pope of his extortion; though little thereby was amended. After his return he fell into the king's displeasure: so that overpowered with his adversaries, and circumvented with their malice, weary of his native country, (the miseries whereof he much bemoaned,) he went into voluntary banishment. He died and was buried in France: and six years after (which I assure you was very soon, and contrary to the modern custom) was sainted by pope Innocent the Fourth: whose body Lewis the Fourth king of France solemnly removed, and sumptuously enshrined. Sainted after his death.

58. The other, Boniface by name[q], was only eminent on the account of his high extraction, as uncle to the queen, and son of Peter earl of Savoy; a hor- Boniface a worthless archbishop.

[p] Godwin [De Præsul. Angliæ, p. 90. See his life also in Parker's Antiq. Brit. p. 250. and a sketch of his character in Trivet, p. 192. He was elected 1234, Trivet, p. 185, and died in 1240.]

[q] [Elected 1241, consecrated 1245. See Parker, ib. p. 263. Godwin, p. 92.]

A.D. 1262. 46 Hen. III. rible scraper of money, generally hated, insomuch that he went his visitation, having a corslet on under his episcopal habit; which it seems was no more than needs, the Londoners being so exasperated against him that they threatened his death, had not he secured himself by flight. Only he is memorable to posterity for paying two and twenty thousand marks' debt of his see (which his predecessors had contracted) for building a fair hall at Canterbury, and a stately hospital at Maidstone, which it seems was indicted and found guilty of, and executed for superstition at the dissolution of abbeys, (when it was valued at above a hundred and fifty pounds of yearly revenue,) being aliened now to other uses.

SECT. III.

TO

WILLIAM ROBINSON

OF

THE INWARD TEMPLE, ESQ.[a]

Sir Edward Coke was wont to say, that he never knew a divine meddle with a matter of law, but that therein he committed some great error, and discovered gross ignorance. I presume you lawyers are better divines than we divines are lawyers; because indeed greater your concernment in your precious souls, than ours in our poor estates. Having therefore just cause to suspect my own judgment in this section, wherein so much of law, I submit all to your judgment to add, alter, expunge at

[a] [Arms; or, a morion sable, studded argent and or. In the visitation of Herts by sir Richard, St. George Clarencieux, 1634, is the pedigree of the family of Robinson of Cheshunt bearing this coat, and signed by William Robinson then living. By it he appears to have been the son of Peter Robinson of London, by his wife Anne, daughter of Thomas Marston, and to have married Elizabeth, daughter of Richard Burrell of London, by whom he had three sons, Peter, William, and John, and two daughters, Jane and Elizabeth, all living in 1634. From the earlier part of the pedigree it appears that the family was a branch of one formerly settled at Little Bould in the county of Westmoreland. B.]

pleasure; that if my weak endeavours shall appear worthy of a second impression, they may come forth corrected with your emendations.

A. D. 1272. 57 Hen. III.

The vivacity of king Henry the Third, and the variety of his life.

UIET king Henry the Third, our English Nestor, (not for depth of brains, but length of life,) as who reigned fifty-six years, in which term he buried all his contemporary princes in Christendom twice over. All the months in a year may in a manner be carved out of an April day, hot, cold, dry, moist, fair, foul weather, being oft presented therein. Such the character of this king's life, certain only in uncertainty, sorrowful, successful, in plenty, in penury, in wealth, in want, conquered, conqueror.

The serenity of his death, and solemnity of his burial.

2. Yet the sun of his life did not set in a cloud, but went down in full lustre; a good token that the next day would be fair, and his successor prove fortunate. He died at St. Edmund's Bury, and though a merciful prince ended his days in a necessary act of justice, severely punishing some citizens of Norwich for burning and pillaging the priory therein[a]. His corpse was buried at Westminster church (founded and almost finished by him) with great

[a] [In the year 1272 some contention having arisen between the monks and citizens of Norwich, the latter were so enraged as to set fire to the ancient and splendid cathedral of that city. Not content with this, they carried off the books, vestments, and sacred vessels which belonged to that church. King Henry III., justly indignant at this outrage of the citizens, though now greatly advanced in years, proceeded to Norwich personally to take cognizance of their offences. Upon his return he fell sick at St. Edmond's-bury, and died in the 67th year of his age. See Mat. Paris, p. 1008, and Trivet, p. 236, who is copied by Thom. Walsingham, p. 43. These authors give an interesting description of the manners and personal appearance of this king.]

solemnity, though prince Edward his son, as beyond the seas, was not present thereat. A. D. 1272. 1 Edward I.

3. There cannot be a greater temptation to ambition to usurp a crown, than when it findeth a vacancy on the throne, and the true heir thereof absent at a great distance. Such an advantage at this instant had the adversaries of prince Edward (not as yet returned from Palestine) to put in, if so minded, for the kingdom of England. And strange it was, that no arrears of the former rebellion were left, but all the reckonings thereof so fully discharged, that no corrival did appear for the crown; but a general concurrence of many things befriended prince Edward herein. The advantages of absent prince Edward.

i. His father on his deathbed secured his son's succession, as much as might be, by swearing the principal peers unto him in his absence.

ii. The most active and dangerous military men the prince had politicly carried away with him into Palestine.

iii. Prince Edward his fame (present here in the absence of his person) preserved the crown for him, as due to him, no less by desert than descent.

The premises meeting with the love and loyalty of many English hearts, paved the way to prince Edward his peaceable entrance without any opposition.

4. King Edward was a most worthy prince, coming off with honour in all his achievements against Turk, and Pope, and Jews, and Scots, and against whomsoever he encountered[b]. For the Turks, he had lately made a voyage against them, which being largely related in our Holy war, we intend not here to repeat. Only I will add, that this foreign expe- His achievments against the Turks.

[b] [Trivet, I. p. 237.]

A.D. 1272. 1 Edward I.

dition was politicly undertaken, to rid the land of many martialists, wherewith the late barons' wars had made it to abound. These spirits thus raised, though they could not presently be conjured down, were safely removed into another room. The fiercest mastiff dogs never fight one with another, whilst they have either bull or bear before them to bait; the common foe employing that fury which otherwise would be active against those of their own kind. This diversion of the English soldiery gave a vent to their animosities which otherwise would have been mutually misspent amongst themselves.

The pope's present power in England.

5. Great at this present was the pope's power in England, improving himself on the late tumultuous times, and the easiness of king Henry his nature, insomuch that within these last seven years *ex plenitudine* (or rather, *ex abundantia et superfluitate*) *potestatis*, he had put in two archbishops of Canterbury, Robert Kilwardeby, and John Pecham, against the minds of the monks, who had legally chosen others[c]. Probably the third time would have created a right to the pope, and his holiness hereafter prescribe it as his just due, had not king Edward seasonably prevented his encroachment, by moderating his power in England, as hereafter shall appear. Meantime we are called away on a welcome occasion, to behold a grateful object, namely, the foundation of one of the first and fairest colleges in Christendom.

Merton college in Oxford founded.

6. For in this year Walter de Merton, bishop of Rochester, and chancellor of England, finished the

[c] [See Trivet, 235, and Parker, De Antiquitat. Britan. p. 285 and 290. The first was appointed in 1272, the second in 1278: but in the first instance a protestation was made by the king's clerk, *ne consimilis electio trahatur in consequentiam.* Godw. 96.]

college of his own name in Oxford[d]. This Walter was born at Merton in Surrey, and at Maldon in that county had built a college, which on second thoughts (by God's counsel no doubt) he removed to Oxford, as it seems for the more security; now if the barons' wars, then (some fifteen years since) in height, and heat, were as it is probable, any motive of this translation, it was one of the best effects which ever so bad a cause produced; for otherwise, if not removed to Oxford, certainly this college had been swept away, as rubbish of superstition, at the dissolution of abbeys. A. D. 1274. 3 Edward I.

7. Amongst the many manors which the first founder bestowed on this college, one lay in the parish of St. Peter's and west suburb of Cambridge, beyond the bridge, anciently called Pythagoras house, since Merton hall[e]. To this belongeth much good land thereabout, (as also the mills at Grantchester mentioned in Chaucer,) those of Merton college keeping yearly a court baron here. Afterwards king Henry the Sixth took away (for what default I find not) this manor from them, and bestowed it upon his own foundation of King's college in Cambridge[f]. But his successor, Edward the Fourth, restored it to Merton college again. It seemeth equally admirable to me, that holy king Henry the Sixth should do any wrong, or harsh Edward the Fourth do any right to the muses, which maketh me to suspect that there is more in the matter than what is generally known, or doth publicly appear. A manor in Cambridge given thereunto.

[d] [See Wood as before, p. 3. According to whom the first foundation was A. D. 1264. See also his epitaph, written by sir H. Savile, printed at length in Godwin, p. 531.]

[e] Brian Twyne's Ant. Acad. Oxon. p. 319.

[f] Caius Hist. Cant. Acad. p. 68.

A. D. 1274. 3 Edward I. Merton his monument renewed.

8. Sir Henry Savile, the most learned warden of this college, three hundred and more years after Merton's death, plucked down his old tomb in Rochester church, (near the north wall, almost over against the bishop's chair,) and built a neat new monument of touch and alabaster, whereon after a large inscription in prose, this epitaph was engraven.

Magne senex titulis, musarum sede sacrata
Major, Mertonidum maxime progenie:
Hæc tibi gratantes post sæcula sera nepotes
En votiva locant marmora, sancte parens.

And indeed malice itself cannot deny that this college (or little university rather) doth equal, if not exceed any one foundation in Christendom, for the famous men bred therein, as by the following catalogue will appear.

Wardens.	*Bishops.*	*Benefactors.*	*Learned writers.*
Pet. Abyngdon, [or de Habendon.]	Rob. Winchelsey, archbishop of Canterbury, anno 1294.	John Willgott, (bred in this college,) D. D. and chancellor of Oxford, founded the Portionists'[g] hall, and exhibitions.	Roger Bacon, a famous mathematician.
1286. Rich. Warblysdon.	Simon Mepham, archbishop of Canterbury, anno 1328.	Will. Read[h] (an excellent mathematician) built the library.	John Duns Scotus.
1295. Jo. de la More.	Simon Islip, archbishop of Canterbury, anno 1349.	Thomas Rudburne, warden, built the tower over the gate.	Walter Burley.
1299. Jo. Wantinge.	John Kemp, archbishop of Canterbury, anno 1452.	Richard Fitz-James, warden, built the warden's lodgings.	William Ocham.
1328. Rob. Trenge.	Ralph de Baldock, bishop of London, anno 1305.		Tho. Bradwardine, archbishop of Canterbury.
1357. Gul. Durant.			John Gatisden.
1375. Jo. Bloxham.			[Jo.] Dumbleton.
1387. Jo. Wendover.			Nicholas Gorrham.
1398. Ed. Beckyngham.			William Grysant, father to Grimoald Grysant, pope by the name of Urban the Fifth.
1416. Tho. Rudburne.			
1417. Rob. Gylbert.			
1422. Hen. Abingdon.			
1438. Elias Holcot.			
1455. Hen. Sever.			
1471. Jo. Gygur.			
1482. Ric. Fitz-James.			
1507. Tho. Harper.			

[g] The same with postmasters.

[h] [Bishop of Chichester in 1369: he gave, besides, a chest with 100*l.* in gold to be borrowed by the fellows for their relief, upon a bond given. See Godwin, 507.]

se.	*Bishops.*	*Benefactors.*	*Learned writers.*
awlins. hilips. nber. ndal. ynolds. vys. t. ckley. vile. Nathaniel ddard.	Henry Gower, bishop of St. David's, anno 1328. William Read, bishop of Chichester, anno 1369. Robert Gilbert, bishop of London, anno 1436. Thomas Rudburne, bishop of St. David's, anno 1433. John Chadworth, bishop of Lincoln, anno 1452.[l] John Marshall, bishop of Landaff, anno 1478. Rich. Fitz-James, bishop of London, anno 1506. William Sever, bishop of Durham, anno 1502. Richard Rawlins, bishop of St. David's, anno 1523. John Parkhurst, bishop of Norwich, anno 1560. Thomas Bickley, bishop of Chichester, anno 1584. George Carleton, bishop of Chichester, anno 1619.[k]	Henry Abingdon, warden, gave bells to the church. Richard Rawlins, wainscoated the inside, and covered the roof thereof with lead. Thomas Leach.[l] Sir Tho. Bodley. Dr. Wilson. Mr. John Chamber, sometime fellow of Eaton.[m] Dr. [Jac.] Jervys. Dr. Jesop, [M. D.][m] Sir Hen. Savil.	Roger Suiset. John Wicliffe. Henry Cuff, an able scholar, but unfortunate. Sir Tho. Bodley, who built Oxford library. Sir Henry Savile. Sir Isaac Wake, university orator, and ambassador to Venice. Henry Mason, who worthily wrote *De Ministerio Anglicano.* John Graves, an excellent mathematician. Dr. Peter Turner, active in composing the new statutes of the university.

A. D. 1274. 3 Edward I.

posely omit such as still (and may they long) whereof some (as Dr. Edward Reynolds, Dr. Earl, Dr. Francis Cheynell, Mr. Doughty, Francis Rous, &c.) have already given the testimony of their great learning and endow-

The living passed over in silence.

was provost also of ollege in Cambridge. ty-four in all, to the , according to Wood.] ed, by Wood, James ometime fellow. He gave 200 volumes to the library, and 200*l.* to buy land in Cheshire for fellows from that county, about the year 1589.]

[m] [Both formerly fellows.]

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ments. Others may in due time, as Dr. Higgs, late dean of Lichfield, Dr. Corbet, &c. And surely Mr. John Hales[n], formerly Greek professor, will not envy Christian mankind his treasury of learning; nor can conceive, that only a sermon (owned under his name) can satisfy the just expectation from him of the church and commonwealth.

The original of postmasters.

There is a by-foundation of postmasters in this house, (a kind of college in the college,) and this tradition goeth of their original. Anciently there was over against Merton college a small unendowed hall, whose scholars had so run in arrears, that their opposite neighbours out of charity took them into their college (then but nine in number) to wait on the fellows. But since they are freed from any attendance, and endowed with plentiful maintenance, Mr. Willet being the first benefactor unto them in that nature, whose good example hath provoked many to follow his liberality. These most justly conceive themselves much honoured, in that bishop Jewel was a postmaster before removed hence to be fellow of Corpus Christi college. We take our farewell of this house, when we have told it consisted lately (viz. 1635.) of one warden, twenty-one fellows, fourteen scholars[o], besides officers and servants of the foundation, with other students, the whole number being eighty.

The church ready to eat up the commonwealth.

9. Come we now to the king's retrenching the pope's power, grown so exorbitant in England. A principal part whereof consisted in the multitude of monasteries, daily increasing in wealth, and all at the pope's absolute devotion. If posterity had con-

[n] [The ever-memorable John Hales of Eaton. See Walker's Sufferings of the Clergy, p. 93, and Wood's Athen. ii. p. 199.]

[o] The same I conceive with the postmasters. [Certainly.]

tinued at this rate to build and endow religious houses, all England would in short time have turned one entire and continued monastery; and the inhabitants thereof become either friars or founders. Where then should be any soldiers to fight the king's battles? seamen to steer his ships? husbandmen to plough the king's land? or rather any land of his to be ploughed by husbandmen? A.D. 1275. 4 Edward I.

10. Besides, though these friars had a living hand, to take and receive from any, they had mortmain, a dead hand, to restore and return any profit to the king again. Yea, such alienation of lands in mortmain, settled on monasteries, (which as corporations neither married nor died,) afforded neither wards, marriages, reliefs, nor knight's-service, for the defence of the realm; in a word, enriched their private coffers, impoverished the public exchequer. It was not therefore such a dead hand which could feed so many living mouths as the king for his state and safety must maintain. Wherefore for the future he restrained such unlimited donatives to religious houses. The mischief of mortmain to the crown.

11. Ignorance makes many men mistake mere transcripts for originals. So here, the short-sighted vulgar sort beheld the king's act herein as new, strange, and unprecedented, whereas indeed former times and foreign princes had done the like on the same occasion. First, we find some countenance for it in scripture[p], when Moses by proclamation bounded the overflowing bounty of the people to the tabernacle. And in the primitive times Theodosius the emperor (although most loving and favourable to the clergy) made a law of *a mortisation*, or mortmain, to moderate people's bounty to the church. Yet a This law not new but renewed.

[p] Exod. xxxvi. 6.

A.D. 1275 4 Edward I.

great father, Jerome by name, much disliked this act, as appears by his complaint to Nepotian[p] of that law: "I am ashamed to say it, the priests of idols, "stage-players, coachmen, and common harlots, are "made capable of inheritance, and receive legacies, "only ministers of the gospel, and monks are barred "by law thus to do; and that not by persecutors, "but by Christian princes." But that passionate father comes off well at last; "Neither do I com- "plain of the law, but I am sorry we have deserved "to have such a law made against us."

Ambrose angry with mortmain.

12. St. Ambrose[q] likewise expresseth much anger on the same occasion, out of his general zeal for the church's good. But, had the aforesaid fathers (men rather pious than politic; good churchmen, no statesmen) seen the monasteries swollen in revenues from an inch in their days to an ell (by people's fondness, yea dotage, on the four sorts of friars) in king Edward's reign, they would, no doubt, instead of reproving, have commended his and the neighbouring king's care for their commonwealths.

The statute of mortmain.

13. For the like laws for limiting men's liberality were lately made in Spain and France, and now at last followed by king Edward, according to the tenor ensuing:

"Where of late it was provided, that religious "men should not enter into the fees of any without "license and will of the chief lord of whom such "fees be holden immediately: and notwithstanding "such religious men have entered as well into their "own fees, as into the fees of other men, approprying "and buying them, and sometime receiving them of

p [S. Hieronym. Opera, iv. p. 260. ed. Ben.]
q In his 31st Epist.

" the gift of others, whereby the services that are A.D. 1279.
" due of such fees, and which at the beginning were 7 Edward I.
" provided for defence of the realm, are wrongfully
" withdrawn, and the chief lords do leese their
" eschetes of the same; we therefore to the profit of
" our realm intending to provide convenient remedy,
" by the advice of our prelates, earls, barons, and
" other our subjects, being of our council, have pro-
" vided, made, and ordained, That no person, religious
" or other, whatsoever he be, that will buy or sell
" any lands or tenements, or under the colour of
" gift or lease, or that will receive by reason of any
" other title, whatsoever it be, lands or tenements,
" or by any other craft or engine will presume to
" appropre to himself, under pain of forfeiture of
" the same, whereby such lands or tenements may
" any wise come into mortmain. We have provided
" also, that if any person, religious or other, do pre-
" sume either by craft or engine, to offend against
" this statute; it shall be lawful to us and other
" chief lords of the fee immediate to enter into the
" land so aliened, within a year from the time of
" their alienation, and to hold it in fee, as an
" inheritance. And, if the chief lord immediate
" be negligent, and will not enter into such fee
" within the year, then it shall be lawful to the next
" chief lord immediate of the same fee, to enter into
" the said land within half a year next following,
" and to hold it as before is said; and so every lord
" immediate may enter into such land, if the next
" lord be negligent in entering into the same fee, as
" is aforesaid. And if all the chief lords of such
" fees being of full age, within the four seas, and out
" of prison, be negligent or slack in this behalf, we
" immediately after the year accomplished, from the

A.D. 1279. Edward I.

"time that such purchases, gifts or appropriations hap
"to be made, shall take such lands and tenements
"into our hand, and shall infeoff other therein, by
"certain services to be done to us, for the defence of
"our realm, saving to the chief lords of the same
"fees, their wards and eschetes, and other services
"thereunto due and accustomed. And therefore we
"command you, that ye cause the foresaid statute to
"be read before you, and from henceforth to be kept
"firmly and observed.

"Witness myself at Westminster, &c."[r]

Date we from this day the acme or vertical height of abbeys, which henceforward began to stand still, and at last to decline. Formerly it was endow monasteries who would, hereafter, who could, having first obtained license from the king. Yet this law did not ruin, but regulate, not destroy, but direct well grounded liberality, that bounty to some might not be injury to others. Here I leave it to lawyers by profession to shew how many years after (viz. the eighteenth of Edward the Third) prelates impeached before the king's justices for purchasing lands in mortmain, shall be dismissed without further trouble, upon their producing a charter of license, and process thereupon made, by an inquest, *ad quod damnum*, or (in case that cannot be shewed) by making a convenient fine for the same.

14. The late mention of the prelates' advice, in passing a law so maleficial unto them, giveth me just occasion to name some, the principal persons of the clergy, present thereat; namely,

i. John Peckham, archbishop of Canterbury, a stout man. He afterwards excommunicated the prince of Wales, because he went a long journey to

[r] [Authentic Collection of the Statutes, I. p. 51.]

persuade him to peace with England, but could not prevail[q]. A. D. 1276. 5 Edward I.

ii. William Wickwane, archbishop of York, accounted a great scholar, (author of a book called Memoriale,) and esteemed a petty saint in that age[r].

iii. Anthony Beake, soon after bishop of Durham[s]; the richest and proudest (always good manners to except cardinal Wolsey) of that place; patriarch titular of Jerusalem, and prince of the Isle of Man. Yet in my mind Gilbert Sellinger, his contemporary, and bishop of Chichester, had a far better title, as commonly called the father of orphans, and comforter of the widows[t].

These, with many more bishops, consented (though some of them *resorbentes suam bilem* as inwardly angry) to the passing or confirming of the statute of mortmain. To make them some amends, the king not long after favourably stated what causes should be of spiritual cognizance.

15. For a parliament was called at Westminster, eminent on this account, that it laid down the limits, and fixed the boundaries betwixt the spiritual and temporal jurisdictions, *Hitherto shall you come and* A. D. 1285. The spiritual and temporal courts bounded by parliament.

q ["John Peckham, archbishop of Canterbury, after he had visited his whole province, considering the great wars between the king and Leoline [prince of the Welch], he travelled for the appeasing thereof first to the king, being at Rutland, then to the prince, being at London; which his whole travail therein, with the grief and causes of those wars, be particularly set down word by word in the said archbishop's records, all which I received at the hands of Dr. Gale, when he was dean of the arches." Stow's Chron. p. 201.]

r [See Bale's Scriptores, x. 72, and Godwin, de Præsul. Angliæ, p. 682.]

s [In 1283. See Trivet, p. 261.]

t [The only account I can find of the prelate is in Mat. of Westminster, in a. 1306, and he is there called *Gilbertus de Sancto Leopardo.*]

A. D. 1532. 23 Hen. VIII. *further*: though before and since both powers have endeavoured to enlarge their own, and contract their rival's authority. We will present first the Latin out of the records, and then the English out of our printed statutes, and make some necessary observations on both.

Rex [illegible] salutem. Circumspecte agatis de negotiis ingeniorum quorundam Norwicensem. et eos circa non puniendo. eos si puniant [illegible] in curia Christianitatis de his que mere sunt spiritualia. viz. de correctionibus pro mortali peccato. viz. pro fornicatione. adulterio et hujusmodi. pro quibus [illegible] infligitur pena corporalis. aliquando pecuniaria. maxime si convictus fuerit de hujusmodi laico homo.

Item. *Si prelati puniat pro cemeterio non clauso. ecclesia discoperta. vel non decenter ornata. in quibus casibus alia pena non potest infligi quam pecuniaria.*

Item. *Si rector petat versus parochianos oblationes. et decimas debitas vel consuetas. vel si rector agat contra rectorem de decimis majoribus. vel minoribus, dummodo non petatur quarta pars valoris ecclesie.*

Item, *Si rector petat mor-*

"THE king to his judges "sendeth greeting. Use your- "self circumspectly in all mat- "ters concerning the bishop of "Norwich and his clergy, not "punishing them if they hold "plea in court Christian of "such things as be mere spirit- "ual, that is to wit, of penance "enjoined by prelates for dead- "ly sin, as fornication, adultery, "and such like; for the which "sometimes corporal penance "and sometimes pecuniary is "enjoined, specially if a free "man be convict of such things.

"Also if prelates do punish "for leaving churchyard un- "closed, or for that the church "is uncovered, or not conve- "niently decked, in which "cases none other penance can "be enjoined but pecuniary.

"*Item*, If a parson demand "of his parishioners oblations "and tithes due and accus- "tomed; or if any parson do "sue against another parson "for tithes, greater or smaller, "so that the fourth part of "the value of the benefice be "not demanded.

"*Item*, If a parson demand

tuarium in partibus ubi mortuarium dari consuevit.

Item, *Si prælatus alicujus ecclesiæ, vel advocatus petat a rectore pensionem sibi debitam, omnes hujusmodi petitiones sunt faciend. in foro ecclesiastico. De violenta manuum injectione in clericum, et in causa diffamationis concessum fuit alias, quod placitum inde teneatur in curia Christianitatis, cum non petatur pecunia, sed agatur ad correctionem peccati, et similiter pro fidei læsione. In omnibus prædictis casibus habet judex ecclesiasticus cognoscere regia prohibitione non obstante*[v].

" mortuaries in places where a mortuary hath been used to be given. A.D. 1285. 13 Edw. I.

" *Item*, If a prelate of a church, or the patron demand of a person a pension due to him, all such demands are to be made in a spiritual court. And for laying violent hands on a clerk, and in cause of defamation, it hath been granted already, that it shall be tried in a spiritual court when money is not demanded, but a thing done[t] for punishment of sin, and likewise for breaking an oath. In all cases afore rehearsed, the spiritual judge shall have power to take knowledge notwithstanding the king's prohibition."

Something must be premised about the validity of this writing, learned men much differing therein. Some make it,

i. Only a constitution made by the prelates themselves; much to blame if they cut not large pieces, being their own carvers.

ii. A mere writ issued out from the king to his judges.

iii. A solemn act of parliament, complete in all the requisites thereof.

Hear what a Bacon[u] (but neither sir Nicholas nor

[t] [Rather; *but the suit is prosecuted.*]

[v] [Coke's Instit. part ii. p. 487. ed. 1642. Lyndewode's Prov. lib. ii. f. 49 b. Auth. Collection of the SS. I. 101.]

[u] Mr. Nath. Bacon, in his Hist. Dis. of the Government of England, part i. p. 233. [ed. 1647.]

A.D. 1285. 13 Edw. I. sir Francis, the two oracles of law) writes in this case; "A writing somewhat like a grant of liberties, "which beforetimes were in controversy; and this "grant (if it may be so called) hath by continuance "USURPED the name of a statute, but in its own na- "ture is no other than a writ directed to the judges." Presently after he saith, "It is therefore neither "grant, nor release, but as it were a covenant that "the clergy shall hold peaceable possession of what "they had, upon this ground." And in the next page more plainly; for my part therefore I shall not apprehend it of a higher nature than the king's writ, which in those days "went forth at random."

Judge Coke's decision.

16. Come we now to the calm judgment of sir Edward Coke, on whose decision we may safely rely; "Though some have said that this was no "statute, but made by the prelates themselves, yet "that this is an act of parliament, it is proved, not "only by our books, but also by an act of parlia- "ment[v]."

17. *The king to his judges*] Were it of concernment, it were not difficult to name the prime judges of England at this time: viz.

i. In the king's, or upper bench, either Ralph de Hengham, or (which is more probable) one Wymborne was judge.

ii. In the common pleas, Thomas de Weyland, on that token that he was guilty of bribery.

iii. In the exchequer, Adam de Stratton, as faulty as the former[w].

But by the judges named in this writ (for as this was an act of parliament, so was there a writ also

[v] Institut. ib. p. 487. [w] [Of these judges, see Stow, p. 204.]

founded thereon, called *circumspecte agatis*) we understand some peculiar commissioners dispatched and employed on this particular business. A. D. 1285. 13 Edw. I.

18. *Concerning the bishop of Norwich*] It is needless to tell the reader that William Middleton was bishop thereof at this time, charactered to be *vir in jure civili et canonico peritissimus et elegantissimus*[x]. But Norwich is here put only for example, which equally extended to all the bishops of the realm.

19. *Si placitum tenuerint*, "if they hold plea,"] *Placitum*, a plea so called, saith my author, *per antiphrasin, quia non placet*[y]; none being pleased to go to law save barreters, who delight in brangling. But what if it be called *placitum*, because the plaintiff is *pleased* to submit his right in question to the *pleasure* of the court to decide it?

20. *In court Christian*] These words are left out in Lyndewode his constitutions, where all the rest is registered. And, where the recording thereof amongst the provincial canons of Canterbury gave the best countenance to their conjecture, who degrade this act of parliament into a mere church-constitution. It is called the court Christian, because therein the laws of Christ do or should bear the decisive sway, whilst the statutes of secular princes regulate the proceedings in other courts.

21. *Such things as be merely spiritual*] This furnisheth us with a necessary distinction of all matters;

Into merely and purely spiritual.

Into mixtly and partly spiritual.

[x] Chronicon. Osniense. [MS. quoted by Godwin, De Præsul. p. 432.]

[y] Lyndewode's Provinciale, ib.

A.D. 1285. 13 Edw. I. Of the former we shall find very few merely spiritual. For the apostles sometimes conceived that the very distribution of alms to the poor had something of worldly drossiness therein, (called by them *serving of tables*[z],) as if only the preaching of the word were a spiritual employment. Of the latter sort many things are mixtly spiritual. For, seeing man consists of two principles, soul and body, all his actions good or bad, as to the mind-moiety or soul part thereof, must needs have at least a glance of spiritual reflection. Here then the query will be in matters mixtly spiritual, whether the spirituality of them shall refine the rest so as to exalt the same into church-cognizance; or the corporality, or earthliness of them, depress them so as to subject them to civil consideration; the decision hereof dependeth on the practice and custom of the land, as will appear hereafter.

22. *For deadly sin*] Distinguish we here betwixt a sin deadly to the soul, drawing damnation without repentance, and a deadly (commonly called a capital) crime, deserving death by human laws. The former only is here intended, the latter belonging wholly to the common law. Nor did the punishment of every mortal sin (to use the language of that age) belong to churchmen, seeing if so (as Lyndewode no less learnedly than modestly confesseth) *sic periret temporalis gladii jurisdictio*, "thereby the power of the temporal sword will wholly be taken away." Long since had doctors' commons eaten up all the inns of court, if all things reducible to deadly sins had pertained to the court Christian. And therefore the

[z] Acts vi. 2.

casuists themselves do qualify and confine these words of indefinite extent, to such crimes, which *de sui natura spectant ad forum ecclesiasticum.* A.D. 1285. 13 Edw. I.

23. *As first fornication*] Here, saith Lyndewode, thirteen cases are in specie recited, though I dare not reckon them up, fearing to make them (lying so confusedly) moe or less. Fornication, that is, saith the casuist, *soluti cum soluta*, the uncleanness of a loose (understand unmarried) with a loose person.

24. *Adultery*] These two alone are specified, because lying in a middle distance, so the more conveniently to reach other sins of this kind, of higher or lower guilt;

i. Higher, as incest.

ii. Lower, as soliciting a woman's chastity.

If any say that adultery doth not belong to the court Christian, because Christ himself would not punish an adulteress taken in the act[a], waving it as an improper employment; it is answered, that our Saviour appearing in privacy and poverty, and coming not to act but to suffer, not to judge but be judged, justly declined all judicial power. But we see afterward how the church of Corinth, by St. Paul his command, proceeded against the incestuous person, and at this time churchmen cleanly carried the cognizance of such offences. I say at this time, it plainly appearing that in the Conqueror's time fornication and adultery were punishable in the king's court, and the leets especially, by the name of letherwite, and the fines of offenders assessed to the king, though now it merely belonged to the church. As for a rape, being adultery, or, at leastwise, forni-

[a] John viii. 4, 11.

A.D. 1285. 13 Edw. I. cation offered with violence, the common law hath justly reserved to itself the trial and punishment thereof.

25. *And such like*] Here is an interpretative et cætera inserted in the body of a parliament act (and a writ grounded thereon) causing some differences about the dimensions thereof. For if these words, *and such like*, relate only to the last foregoing, fornication and adultery, (in common construction most probable,) then they only fetch in such offences which have some tincture of carnal uncleanness. But, if they also refer to the mediate preceding words, *deadly sins, behold a troop cometh*, beyond our power exactly to number them. And here foreign casuists bring in a bundle of mortal sins, all grist for their own mill, as of church-cognizance; namely, sacrilege, usury, heresy, simony, perjury, fortune-telling, consulting astrologers, drunkenness, &c. But it matters not how long and large their bills be from beyond the seas, seeing our common law brings their reckonings to a new account, defalking a great part of that measure which they make to themselves in favour of church-jurisdiction.

26. *For that the church is uncovered*] It belonged ever to the priests to provide for the decent reparation of God's house. Thus Jehoiada[b] was careful to amend the decays of the people. But though it pertained to churchmen to see the thing done, yet several persons were to do it.

i. The steeple with the body of the church, and all chapels lying in common thereunto, are to be repaired at the joint cost of the parish.

[b] 2 Chron. xxiv.

ii. Private chapels wherein particular persons claim a propriety of sepulture at their own charges. A.D. 1285. 13 Edw. I.

iii. The chancel at the expense of the parson.

However, in all these such respect is had to the custom of the place, time out of mind, that it often overruleth the premises. Query, whether the fences of the churchyard be to be made on the parish charges, or on the purse of the several persons whose ground surroundeth it, or abutteth on the same.

Oblations and tithes] It is a question which I believe will never be decided to the contentment of both parties, in what notion tithes belong to the court Christian.

i. The Canonists maintain, That originally and *ex sua natura*, they are of ecclesiastical cognizance, as commonly avouched, and generally believed due, *jure divino*. Besides, such the near relation of the church and its maintenance, that to part the oil from the lamp were to destroy it. They produce also the confession in the statute of the first of Richard the Second, That pursuit for tithes ought, and of ancient time did pertain to the spiritual court[c].

ii. The common Lawyers defend, That tithes in their own nature are a civil thing, and therefore by Britton (who being bishop of Hereford, and learned in the laws of this realm, was best qualified for an unpartial judge herein) omitted, when treating of what things the church hath cognizance. They affirm therefore that tithes were annexed to the spirituality. Thus they expound those passages in

[c] Bracton, v. 2. p. 401. [ed. 1569.]

A.D. 1285. 13 Edw. I. statutes of tithes, anciently belonging to court Christian, as intended by way of concession, and not otherwise.

But the canonists are too sturdy to take that for a gift which they conceive is their due, lest thanks also be expected from them for enjoying the same; and so we leave the question where we found it.

27. *Mortuary*] Because something of history is folded up in this word which may acquaint us with the practice of this age, we will enlarge a little hereon, and shew what a mortuary was, when to be paid, by whom, to whom, and in what consideration.

i. A mortuary[d] was the second best quick cattle whereof the party died possessed. If he had but two in all, (such forsooth the charity of the church,) no mortuary was due from him.

ii. It was often bequeathed by the dying, but however always payed by his executors after his death, thence called a mortuary or corse-present[e].

iii. By whom. No woman under covert-baron was liable to pay it, (and by proportion no children

[d] Lyndewode's Provinciale, cap. de Consuetudine, lib. i. f. 11. [ed. Paris, 1505. See also Gibson's Codex, p. 709. ed. 1761.]

[e] [Upon the term *corse-presents* bishop Gibson observes, that if it was "the same with a "*mortuary*, the reason of the "name may be seen in Lyndewode's Commentary upon "the Constitution of Langham "[here quoted], viz. that it "used to be carried to the "church with the dead corpse;" and Mr. Selden* quotes an ancient record, where it is recited that a horse was present at the church the same day in the name of a mortuary, &c., and that the parson received him according to the custom of the land and of holy church. But sir William Dugdale†, and after him bishop Stillingfleet‡, have shewn and affirmed that the corse-present was properly the voluntary oblations which were usually made at funerals.]

* On Tythes, p. 287. † Warwickshire, p. 470. ‡ Eccl. Cas. I. i. p. 248.

unmarried living under their father's tuition,) but widows, and all possessed of an estate, were subject to the payment thereof. A.D. 1285. 13 Edw. I.

iv. To whom. It was paid to the priest of the parish where the party dying received the sacrament, (not where he repaired to prayers,) and if his house at his death stood in two parishes, the value of the mortuary was to be divided betwixt them both.

v. It was given in lieu of small or personal tithes (predial tithes are too great to be casually forgotten) which the party in his lifetime had, through ignorance or negligence, not fully paid. But in case the aforesaid mortuary fell far short of full satisfaction for such omissions, casuists maintain the dying party obliged to a larger restitution.

So much of mortuaries as they were generally paid at the present, until the time of Henry the Sixth, when learned Lyndewode wrote his comment on that constitution. How mortuaries were after reduced to a new regulation by a statute, in the twenty-first of Henry the Eighth, pertains not to our present purpose.

28. *For laying violent hands on a priest*] The ecclesiastical judge might proceed *ex officio*, and *pro salute animæ*, punish the offender who offered violence to a priest; but damages on action of battery were only recoverable at common law: note, that the arresting of a clergyman by process of law is not to be counted a violence.

29. *And in case of defamation*] Where the matter defamatory is spiritual, as to call one heretic, or schismatic, &c. the plea lay in court Christian. But defamations with mixture, any matter determinable

A. D. 1285. 13 Edw. I. in the common law, as thief, murderer, &c. are to be traversed therein.

30. *Defamation, it hath been granted*] From this word granted, common lawyers collect (let them alone to husband their own right) that originally defamations pertained not to the court Christian. From the beginning it was not so, until the common law by acts of parliament granted and surrendered such suits to the spirituality.

No end can end an everlasting difference.

31. Thus by this act and writ of *circumspecte agatis*, king Edward may seem like an expert artist, to cleave a hair, betwixt the spiritual and temporal jurisdiction, allowing the premises to the former, and leaving whatever is not specified in this act to the cognizance of the common law, according to the known and common maxim, *Exceptio firmat regulam in non exceptis.* However, for many years after there was constant heaving and shoving betwixt the two courts. And as there are certain lands in the marches of England and Scotland (whilst distinct kingdoms) termed debatable-grounds, which may give for their motto, not *dentur justiori*, but *dentur fortiori*, for alway the strongest sword for the present possessed them: so in controversial cases to which court they should belong; sometimes the spirituality, sometimes the temporality alternately seized them into their jurisdiction, as power and favour best befriended them. But generally the clergy complained, that as in the blending of liquors of several colours few drops of red will give a tincture to a greater quantity of white, so the least mixture of civil con-

[d] See more hereof on *Articuli Cleri*, in the reign of Edward the Second.

ernment in religious matters so discolourated the Christian candour and purity thereof, that they appeared in a temporal hue, and under that notion were challenged to the common law. Sad, when courts that should be judges turn themselves plaintiffs and defendants about the bounds of their jurisdiction. A. D. 1285. 13 Edw. I.

32. We long since mentioned the first coming in of the Jews into England, (brought over by William the Conqueror,) and now are come this year to their casting out of this kingdom; having first premised some observables concerning their continuance therein. If hitherto we have not scattered our history with any discourse of the Jews, know it done by design: that as they were enjoined by our laws to live alone in streets by themselves, (not mixing in their dwellings with Christians,) so we purposely singled out their story, and reserved it by itself for this one entire relation thereof. A. D. 1290. A transition to the entire story of our English Jews.

33. They were scattered all over England. In Cambridge, Bury, Norwich, Lynn, Stamford, Northampton, Lincoln, York, and where not? But their principal abode was in London, where they had their arch-synagogue at the north corner of the Old Jewry, as opening into Lothbury. After their expulsion their synagogue was turned into the convent of the Friars of the Sack, or, *De Pœnitentia Jesu;* and after their suppression it became successively the house, first of a lord, then of a merchant; since of any man for his money, being turned into a tavern, with the sign of the Windmill[e]. A proper Their principal residence in London.

[e] Stow's Survey of London, p. 288. [The Friars of the Sack began about this time to obtain notice in England. Stow's Chron. p. 205.]

[illegible] the unwholesomeness of that place, which with several years of success hath been turned [illegible] and to so many uses.

[illegible] the civil government of Jews in England. The king set over them one principal officer, called the justice of the Jews, whose place in [illegible] was next to the barons of the exchequer[f]. His office was to be the patron and protector of the Jews in their just rights, to decide all suits betwixt Christians and them, and to keep the seal of the Jews' synagogue with the keys of their treasuries [illegible] such monies as they paid as tribute to the king. Otherwise the Jews had age [illegible] to keep the keys of their own coffers themselves, as we do now, but trust them with others. [illegible] and sir Philip Lovel, (afterward [illegible] men of signal nobility, successively discharged this place. These justicers often [illegible] in defence of their clients the Jews; [illegible] commanded of by the English [illegible] that when a Jew was [illegible] before the ecclesiastical judge for his misdemeanors [illegible] offence offered to some [illegible] with a Christian woman, &c.) their [illegible] would intercede, and by a prohibition [illegible] from the king, discharge all legal proceedings [illegible] such a Jew as only responsible in his own [illegible]

[illegible] Jews in Stow's Survey of London, in the account of Coleman-street ward, where the Jews were chiefly situated. Prynne's Records, vol. III., and Dr. Tovey's Anglia Judaica contain much information

35. In their spiritual government they were all under one pontifex, or high priest. We find his name was Elias who anno 1254 had that office. He was also called the presbyter of the Jews, whose place was usually confirmed at least, if not constituted by the king, who by his patent granted the same, as may appear by this copy of king John's, as followeth:

A. D. 1290. 18 Edw. I.

The high priest, or presbyter of the Jews.

" Johannes Dei gratia, &c. omnibus fidelibus suis, " et omnibus etiam Judæis Angliæ salutem. Sciatis " nos concessisse, et præsenti charta nostra confir- " masse Jacobo Judæo de Londoniis presbytero " Judæorum presbyteratum omnium Judæorum to- " tius Angliæ, habendum et tenendum quamdiu vix- " erit, libere et quiete, et honorifice, et integre, ita " quod nemo ei super hoc molestiam aliquam, aut " gravamen inferre præsumat: quare volumus et " firmiter præcipimus, quod eidem Jacobo quoad vix- " erit presbyteratum Judæorum per totam Angliam, " garantetis, manuteneatis, et pacifice defendatis; " et si quis ei super eo forisfacere præsumserit, id ei " sine dilatione salva nobis emenda nostra, de foris- " factura nostra, emendari faciatis, tanquam dominico " Judæo nostro, quem specialiter in servitio nostro " retinuimus. Prohibemus etiam ne de aliquo ad se " pertinente ponatur in placitum, nisi coram nobis, " aut coram capitali justicia nostra, sicut charta regis " Richardi, fratris nostri, testatur. Teste S. Batho- " niensi episcopo &c. Dat. per manum H. Cantuari-

for the history of the Jews in this country, and of the legal enactments by which they were affected.]

A.D. 1290. 18 Edw. I. "ensis archiepiscopi cancellarii nostri, apud Rotho- "magum 31 die Julii, anno regni nostri primo[i]."

Jews griping usurers.

I have transcribed this patent the rather for the rarity thereof, it being a strange sight to see a Christian archbishop date an instrument for a Jewish presbyter.

36. Their livelihood was all on usury. One verse in Deuteronomy[k] (with their comment thereon) was more beneficial unto them than all the Old Testament besides. *Unto a stranger thou mayest lend upon usury, but unto thy brother thou shalt not lend upon usury.* Now interpreting all strangers who (though neighbours at the next door) were not of their own nation, they became the universal usurers of all England; and did our kingdom this courtesy, that because all hated the Jews for their usury's sake, all also hated usury for the Jews' sake; so that Christians generally disdained to be guilty thereof. Now, seeing there are two ways to wealth, one long and sure, by saving at home, the other short, but not so certain, (because probably it may meet with

[i] Rot. Chart. 1 Joh. part i. mem. 28. [Printed in Hardy's Charter Rolls, p. 6. See another document of the same nature in the Fœdera, I. 95.]

[k] Deut. xxiii. 20. [In a parliament held at Westminster in the commencement of this king's reign, they were forbidden to take usury; and besides other indignities, were ordered for distinction sake to wear a tablet the breadth of a palm on their outer garments. Stow's Chron. p. 200. In the year 1278 two hundred and sixty-seven of them were executed for clipping coin, and in 1282 archbishop Peckham destroyed all their synagogues. In 1287 all the Jews were apprehended by the king's order, and redeemed themselves for 12,000 pounds silver; and two years after were banished the country to the number of 15,060 persons. See Stow's Chronicle in the various years.]

detection and punishment,) by oppressing abroad, no wonder if the Jews, using both ways, quickly arrived at vast estates. A.D 1290. 18 Edw. I.

37. For, first for their fare, it was coarse in the quality, and yet slender in the quantity thereof. Insomuch that they would in a manner make pottage of a flint. Swine's flesh indeed they would not eat, but dogs' meat they would; I mean beef and mutton, so poor and lean that the refuse of all Christians was the Jews' choice in the shambles. Clothes they wore so poor and patched, beggars would not take them up to have them. Attendants they kept none, every one waiting on himself. No wonder then if easily they did overgrow others in wealth, who basely did under-live themselves in all convenient accommodations. Nor were they less gripple in keeping than greedy in catching of goods, who would as soon lose their fingers as let go what they had clutched therein. Their rapaciousness and tenaciousness.

38. I was of the opinion (and perchance not without company in my mistake) that the Jews were not permitted to purchase lands in England. I thought only the ground of their graves (generally buried without Cripplegate, in the Jews' garden, on the west side of St. Giles's churchyard, now turned into tenements in Red-cross-street) could be termed theirs. But since I am informed that Benomy Mittun, a Jew, (as certainly many more besides him,) was possessed of much land, and many houses in several parishes in London[1]. Surely their purchases were limited within some restrictions. But the Jews generally more fancied letting out of money than Jews might purchase houses.

[1] Stow's Survey, p. 288.

A.D. 1290. 18 Edw. I. buying in of land, as which made their estates less subject to discovery, more plentiful in their increasing, and more portable in the removing thereof.

Lay-excommunication, what it was. 39. It was an usual punishment legally inflicted on these Jews, for their offences not capital, to excommunicate them. Thus such Jews should be excommunicated, who, contrary to the laws, kept Christian nurses in their houses[m]; or who cast off that badge or cognizance which they ought to have worn over their upper garment, to be distinguished from Christians. Surely such excommunication was no ecclesiastical censure, needless to keep the Jews out of our churches, who hated all coming into them. Rather it was a civil penalty, (equivalent to the university's discommoning a townsman in Cambridge,) whereby the Jews were debarred all commerce with Christians, (worse to them than all the plagues of Egypt,) and so the mart of their profit marred, dearer unto them than life itself.

Jews unfortunate at feasts and frays. 40. Endless it were to reckon up the indignities offered unto these Jews, on occasion sometimes given, but oftener taken. Apprentices nowadays do not throw sticks at cocks on Shrove Tuesday so commonly as then on that day they used clubs on the Jews, if appearing out of their houses. A people equally unhappy at feasts and at frays. For whensoever the Christians at any revels made great entertainments, the Jews were made to pay the reckoning. And wheresoever any brawl began in London, it ended always in the Old Jewry, with pillaging of the people therein. What good heart can without grief recount the injuries offered to those who once,

[m] Additamenta Matthæi Par. p. 202.

were the only people of God? These were they who preferred Barabbas before Christ their Saviour, which *Barabbas was a robber*[n], *a raiser of insurrection, and a murderer*[o]. And ever since that time, in all insurrections against them, (when they desired and sought safety and deliverance,) it hath been their constant portion to be robbed and murdered. A.D. 1290. 18 Edw. I.

41. But the most terrible persecution fell upon them at the coronation of king Richard the First[p], which, according to the Jewish computation, was their jubilee; and then busy in the observance thereof, though (alas) they had not one merry day in the compass of the whole year. They were forbidden, for fear of their enchantments, to approach the king's coronation, upon heavy penalties denounced. Now their curiosity was so far above their covetousness, or rather, their wilfulness so far above their curiosity herein, that, out of their old spirit of contradiction, some appeared there, which caused the killing of many, robbing of more Jews in London. On the same account, within few days after (how quickly can cruelty ride post seven score and ten miles!) five hundred Jews besieged in a tower at York, first beheaded their own wives and children, and then burnt themselves, to escape more cruel torments. A sad Jewish jubilee.

42. In the seventeenth year of the reign of king John, the barons brake into the Jews' houses, and rifled their coffers, and with the stone of their houses repaired the gates and walls of London[q]. Surely such stones must be presumed very hard, like London wall built with Jewish stones.

[n] John xviii. 40.
[o] Mark xv. 7.
[p] [See the details of it in William of Newbury, iv. 1. sq.]
[q] Stow's Survey of London, p. 288.

A. D. 1290. 18 Edw. I.

the Jews their owners, from whom they were taken, and yet they soon mouldered away with wind and weather. Indeed plundered stone never make strong walls. And I impute it as a partial cause of the weakness of London walls, (which no enemy ever since assaulted but he entered them,) that a great part of them (enough to infect all the rest) was built with materials got by oppression.

Henry the Third, cruel to the Jews.

43. But of all our English kings, none ground the Jews with exactions like king Henry the Third. Only herein the Jews might and did comfort themselves, that the English, his native subjects, also smarted soundly under his oppression. He not only flayed the skin, but raked the flesh, and scarified the bones of all the Jews' estates in England; *ut vivere fastidirent*, "that it was irksome for them to live." Gold he would receive of every Jewish man or woman always with his own hand, but consigned other officers to receive the silver from them[r]. One offensive act he wilfully did to their conscience, in giving them leave, at their own cost and charges, to build them a new synagogue, and when they had finished it, he commanded them to dedicate it to the Virgin Mary, whereby they utterly lost the use thereof[s]; and afterwards the king gave it to be a cell of St. Anthony of Vienna. A vexatious deed, merely to despite them, who are (since their smarting for idolatry in the captivity of Babylon) pertinacious worshippers of one God, and nothing more retardeth their conversion to Christianity, than the scandal given daily unto them by the popish saintship to their images.

[r] Mat. Paris, p. 605.

[s] Stow's Survey, p. 190.

A.D. 1290. 18 Edw. I.

The wonder of the Jews' speedy recruiting their estates.

44. It may justly seem admirable, whence these Jews, so often pillaged to their bare skins, so suddenly recruited themselves with wealth. What I have heard affirmed of some ground in Gloucestershire, that in a kindly spring, bite it bare over night, next morning the grass will be grown to hide a wand therein, is most certainly true in application to the Jews, so full and fast did wealth flow in upon them. Let their eggs not only be taken away, but their nests be plucked down; yet within few years we shall find them hatching a new brood of wealth therein. This made many suspect them for clipping and coining of money. But, to lessen the wonder of these Jews their speedy recovery, know, that (besides some of their invisible hoards escaping their plunderers' hands) the Jews in other places (where the persecution for the present) furnished them to set up trading again. Indeed commendable was the Jews' charity to their own countrymen, save that necessity commanded them to love one another, being hated of all other nations[t].

[t] [The persecution of the Jews was always a popular measure, to which many of our English sovereigns had recourse in a barbarous age from motives of interest as well as religion.

Even John, whose character has been severely handled for being somewhat more mild to these persecuted people, when reproving the mayor of London and others for allowing certain Jews to be molested who were under his protection, expresses himself thus; "Miremur quod "Judæis in civitate London' "morantibus malum fieri sus- "tinetis cum id manifeste sit "contra pacem regni et terræ "nostræ tranquillitatem; tanto "quidem inde magis miramur "et movemur quia alii Judæi "qui per Angliam——moram "fecerint, exceptis illis qui "sunt in villa vestra in bona "pace consistunt. *Nec id* "*tamen duximus pro Judæis* "*pro pace nostra, quia si cui-* "*dam cani pacem nostram* "*dedissemus*, deberetur invio- "labiliter observari." Pat. Rolls 5. Joh. n. 3. in Rymer's Fœd. I. 89.

A.D. 1290. 18 Edw. I.

Crowds of counterfeit converts.

45. To avoid these miseries, they had but one shift, (and, as used by some of them, it was but a shift indeed,) to pretend themselves Christian converts, and to tender themselves to be baptized. To such persons, in a temporal respect, baptism washed away all sin; they being cleared and quitted from all ante-facts, how heinous soever, by their entrance into Christianity. Thus anno 1259, Elias Biscop, a London Jew, charged with many horrible crimes; and, amongst others, that with poisoned drink he had caused the death of many English gentlemen, escaped all punishment by being baptized. For the further encouragement of their conversion, king Henry the Third erected a small house in Chancery-lane (where the office of the rolls is now kept) for convert Jews to dwell in, allowing a daily salary to them for their maintenance. It is to be feared many lived therein who were Jews inwardly, but not in the apostle's acception thereof, *in the spirit, but in the letter, whose praise is not of men, but of God*[w]; but I mean such who still retained the dregs of Judaism under the feigned profession of Christianity. Sure I am, king Edward at this time was so incensed against the Jewish nation, that now he resolved the total and final extirpation of them and theirs out of his dominions.

Misdemeanours charged on the Jews.

46. Many misdemeanours were laid to their charge, amongst which these following were the principal.

In 1289 Edward I. expelled them entirely out of England. In the words of Trivet, I. 266, "Judæos omnes eodem anno "expellens de Anglia datis "expensis in Gallias *bona eorum reliqua* confiscavit;" for which expulsion the people in gratitude granted him a fifteenth. (ib.)]

[v] Mat. Paris, p. 982.

[w] Rom. ii. 29.

First, enchantments. This was an old sin of the Jews, whereof the prophets always complained; *the multitude of thy sorceries, and the great abundance of thine enchantments*[x]. And it seems they still retained their old wicked wont. Secondly, poisoning. To give the Jews their due, this was none of their faults, whilst living in their own land, not meeting with the word in the whole Bible. It seems they learnt this sin after their dispersion in other nations, and since are grown exquisite in that art of wickedness. Thirdly, clipping of money. Fourthly, counterfeiting of Christians' hands and seals. Fifthly, extortion. A Jew occasioned a mutiny in London by demanding from a poor Christian above two shillings for the use of twenty shillings for one week, being, by proportion, no less than five hundred and twenty pounds per annum for every hundred. Sixthly, crucifying of the children of Christians (to keep their hands in ure) always about Easter. So that the time pointed at their intents directly in derision of our Saviour. How sufficiently these crimes were witnessed against them I know not. In such cases weak proofs are of proof against rich offenders. We may well believe, if their persons were guilty of some of these faults, their estates were guilty of all the rest. A.D. 1290. 18 Edw. I.

47. Now although it passeth for an uncontrolled truth, that the Jews were by the king violently cast out of the land, yet a great lawyer[y] states the case much otherwise, viz. that the king did not directly expel them, but only prohibit them to put money to use; which produced a petition from them to the Jews say others not cast out, but craved leave to depart.

[x] Isai. xlvii. 9.

[y] Sir. Ed. Coke. [Instit. part II. p. 507. ed. 1642.]

A.D. 1290. 18 Edw. I. king, that they might have leave to depart the land; a request easily granted unto them: some will say it is all one in effect, whether one be starved or stabbed, death inevitably following from both, as here the Jews were famished on the matter out of England; usury being their meat and drink, without which they were unable longer to subsist: however this took off much from the odium of the act, that they were not immediately, but only indirectly and consequentially banished the realm, or rather permitted a free departure on their own petition for the same. As for the sad accident that some hundreds of them being purposely shipped out of a spiteful design in a leaking vessel, were all drowned in the sea, if true, it cannot but command compassion in any Christian heart.

A.D. 1293. The king gets incredible wealth forfeited by the Jews.

48. It is hardly to be believed what vast sums of wealth accrued to the king by this (call it ejection, or amotion, or) decession of the Jews. He allowed them only bare *viaticum* to bear their charges, and seized on all the rest of their estates. Insomuch that now the king needed not to listen to the counsel

A.D. 1294. of William Marsh, bishop of Bath and Wells, and treasurer of England, (but therein speaking more like a treasurer than a bishop,) advising him, if in necessity, "to take all the plate and money of "churches and monasteries therewith to pay his "soldiers[z]." The poor Jews durst not go into France, (whence lately they had been solemnly banished,) but generally disposed themselves in Germany and Italy, especially in the pope's territories therein, where profit from Jews and Stews much advance the constant revenues of his holiness.

[z] Polydore Virgil. [Hist. p. 332.]

49. King Edward having done with the Jews, began with the Scots, and effectually humbled them and their country. This the occasion. Two competitors appearing for the crown of Scotland, John Balliol and Robert Bruce, and both referring their title to king Edward's decision, he adjudged the same to Balliol, or rather to himself in Balliol. For he enjoined him to do homage unto him, and that hereafter the Scottish crown should be held in fealty of the English. Balliol, or his necessity rather, his person being in king Edward's power, accepted the condition, owning in England one above himself, that so he might be above all in Scotland. But no sooner was he returned into his own kingdom, and peaceably possessed thereof, but instantly in a letter of defiance[a], he disclaimeth all former promises to king Edward, appealing to the Christian world, whether his own enforced obedience were more to be pitied, or king Edward's insolence, improving itself on a prince's present extremities, more to be condemned.

A.D. 1292. 20 Edw. I. King Edward arbitrator betwixt Balliol and Bruce.

A.D. 1295.

50. Offended hereat, king Edward advanceth into Scotland, with the forces he formerly intended for France. Power and policy make a good medley, and the one fareth the better for the other. King Edward to strengthen himself thought fit to take in the title of Robert Bruce, Balliol's corrival, hitherto living privately in Scotland, pretending to settle him in the kingdom. Hereupon the Scots, to lessen their losses and the English victories, affirm[b], that in this expedition their own countrymen were chiefly

A.D. 1296. He proveth *malleus Scotorum.*

[a] [This letter is printed in Trivet. 290.]

[b] G. Buchanan Rerum Scot. [Lib. viii. p. 74 sq. ed. 1583.]

A. D. 1296. 25 Edw. I.

conquered by their own countrymen, the Brucian party assisting the English. Sure it is that king Edward took Berwick, Dunbar, Sterling, Edinburgh, the crown, sceptre, and, out of Scone, the royal chair and prophetical marble therein[c]. And though commonly it be observed, that English valour hopefully budding and blossoming on this side of Edinburgh-frith is frost-bitten on the north thereof, yet our victorious Edward, crossing that sea, took Montrose and the best counties thereabout. In a word, he conquered almost all the garden of Scotland, and left the wilderness thereof to conquer itself. Then having settled [John] Warren, earl of Surrey, viceroy thereof, and made all the Scottish nobility, Doughty Douglas alone excepted, who was committed to prison for his singular recusancy, swear homage unto him, and taking John Balliol captive along with him, he returned triumphantly into England.

[c] [Trivet, I. 294.]

THE FOURTEENTH CENTURY.

TO

CLEMENT THROCKMORTON THE ELDER,

OF

HASELEY IN WARWICKSHIRE, ESQ.[a]

Let others boast of their French blood, whilst your English family may vie gentry with any of the Norman extraction. 1. *For antiquity, four monosyllabes being, by common pronunciation, crowded into your name;* THE, ROCK, MORE, TOWN. 2. *For numerosity, being branched into so many counties.* 3. *For ingenuity, charactered by Camden*[b] *to be fruitful of fine wits, whereof several instances might be produced.*

But a principal consideration which doth, and ever shall command my respect unto your person, is your faithful

[a] [In the time of Camden their chief seat was at Coughton in the same county. Arms. Gules on a chevron argent, three bars gemels, sable. This Clement Throckmorton, of Haseley, county of Warwick, was descended from a junior branch of a very ancient and honourable family seated at Coughton in the same county as far back as the reign of Henry the Third; his grandfather, of the same name, being fourth son of sir George Throckmorton of Coughton. He was son and heir to Job Throckmorton, seated at Haseley 37th Hen. VIII. (1545), by his wife Dorothy, daughter of Thomas Vernon. He married Letitia, daughter of sir Clement Fisher of Packington, and at the time when Fuller wrote must have been of an advanced age, as his son, Clement Throckmorton the younger, then living, was born in 1604.]

[b] Brit. in Warwickshire, [p. 426.]

and cordial friendship in matters of highest concernment (whatever be the success thereof) to the best of my relations, which I conceived myself obliged publicly to confess.

A. D. 1301. 29 Edw. I.

The pope challengeth Scotland as peculiar to himself.

MIDST these cruel wars betwixt the English and Scots, pope Boniface the Eighth sent his letters to king Edward, requiring him to quit his claim and cease his wars, and release his prisoners of the Scotch nation, as a people exempt and properly pertaining to his own chapel. Perchance the pope's right to the crown of Scotland is written on the backside of Constantine's donation. And it is strange, that if Scotland be the pope's peculiar demesnes, it should be so far distant from Rome, his chief mansion house; he grounded his title thereunto, because "Scotland first was converted by the "relics of the blessed apostle St. Peter through the "divine operation of God to the unity of the catholic "faith[a]." But it seems not so much ambition in his holiness made him at this present to start this pretence, but the secret solicitation of the Scots themselves, who now to avoid the storm of the English, ran under this bush, and put themselves in the pope's protection.

King Edward, assisted by

2. Hereupon king Edward called a council of his lords at Lincoln, where perusing the contents of the

[a] Fox, Acts, &c. I. 444–7. [It is a curious fact, for the origin of which I cannot account, that all our chroniclers who have given an *abstract* of this letter of the pope, have copied the oversight of Trivet, p. 319, "per beati Pe- "tri apostoli venerandi reli- "quias." Whereas in the original it is, "per beati Andreæ" &c. See Wilkins, II. 257. Fœd. I. 907. Mat. Westmonast. p. 420. Trivet, 318.]

pope's prescript, he returned a large answer[c], wherein he endeavoured by evident reasons and ancient precedents, to prove his propriety in the kingdom of Scotland. This was seconded by another from the English peerage, subscribed with all their hands, the whole tenor whereof deserves to be inserted, but this passage must not be omitted, being directed to no meaner than his holiness himself. A. D. 1301. 29 Edw. I. his lords, stoutly maintaineth his own right.

"Wherefore, after treaty had and diligent deli-
"beration of the contents in your foresaid letters,
"this was the common agreeing and consent with
"one mind, and shall be without fail in time to
"come by God's grace; that our foresaid lord the
"king ought by no means to answer in judgment in
"any case, or should bring his foresaid rights into
"doubt; nor ought to send any proctors or mes-
"sengers to your presence: especially seeing that
"the premises tend manifestly to the disheriting of
"the right of the crown of England, and the plain
"overthrow of the state of the said realm, and also
"hurt of the liberties, customs, and laws of our
"fathers: for the keeping and defence of which we
"are bound by the duty of our oath made, and we
"will maintain them with all power, and will defend
"them (by God's help) with all strength[d]."

The pope perceived he had met with men which understood themselves, and that king Edward was no king John, to be frighted or flattered out of his right, he therefore was loath to clash his keys against the other's sword, to try which was made of the hardest metal; but foreseeing the verdict would go

[c] [In Trivet, 320.]

[d] It is extant in Fox *ut supra*, as also in Holinshed, in the 29th of the reign of king Edward the First, p. 311. [Also in Trivet, 330.]

A.D. 1301. 29 Edw. I. against him, wisely nonsuited himself. Whereas had this unjust challenger met with a timorous defendant, it had been enough to have created an undeniable title to him and his successors. The best is, *nullum tempus occurrit papæ*, "no process of time doth pre-"judice the pope's due;" but whensoever he pleaseth to prosecute his right, Scotland lieth still in the same place where it did before.

A.D. 1302. One condemned for a traitor for bringing the pope's bull.

3. About this time a subject brought in a bull of excommunication against another subject of this realm, and published it to the lord treasurer of England, and this was by the ancient common law of England adjudged treason against the king, his crown and dignity, for the which the offender should have been drawn and hanged, but at the great instance of the chancellor and treasurer, he was only abjured the realm for ever[e]." And this case is the more remarkable, because he was condemned by the common law of England before any particular statute was enacted in that behalf.

A.D. 1305. The archbishop of Canterbury humbled by the king.

4. But the courage of king Edward most appeared in humbling and ordering Robert Winchelsea, archbishop of Canterbury[g]. He was an insolent man, hated even of the clergy, because, though their

[e] Brook tit. præmunire, pl. 10, [as quoted by] sir Edward Coke; Reports, part v. de jure Reg. f. 12.

[g] [Winchelsea's great fault was in advancing and supporting the papal power. Archbishop Parker gives him a more favourable character, justly discriminating his merits as a prelate and lover of his country, from his errors as a violent adherent to the pope. "Cujus acta si, quo animo in "patriam et rempublicam gesta "sint, existimari debeant, "recta judicanda sunt; sin "Romanam consuetudinem "pravitatemque spectes, scele-"rata atque impia." Antiq. Brit. p. 302. His chiefest crime was in humbling the pride of the abbots and monks; and therefore what is stated by the chroniclers to his prejudice must be received with caution.]

champion to preserve them from civil and secular burdens, yet the pope's broker, to reserve them for his unconscionable exactions, as if keeping churchmen to be wronged by none but himself. Long had the king looked on him with an angry eye, as opposite to his proceedings, and now at the last had him at his mercy for plotting treason with some others of the nobility against him, projecting to depose him, and set up his son Edward in his room[h]. A.D. 1305. 33 Edw. I.

5. The archbishop throwing himself prostrate at the king's feet, with tears and lamentation[i], confessed his fault in a posture of cowardly dejection, descending now as much beneath himself as formerly he had arrogantly insulted over others[k]; some[l] are loath to allow him guilty of the crime objected, others conceive him only to have done this, presuming on the king's noble disposition for pardon. But such must yield him a traitor either to the king's crown, or to his own innocence, by his unworthy acknowledging his offence. Thus that man who confesseth a debt which he knows not due, hoping his creditor will thereupon give him an acquittance, scarce deserveth pity for his folly, if presently sent to prison for non-payment thereof. Then he called the king his master, a term wherewith formerly his tongue was unacquainted, (whom neither by word or letter he would ever acknowledge under that notion,) tendering himself to be disposed at his pleasure. Guiltiness makes proud men base.

[h] Annal. Eccl. August. Cant. [By this reference I imagine Fuller means the Chronicle of W. Thorn, where the process against the archbishop is detailed. Twysden, p. 1970. 2005.]

[i] [Parker's] Antiq. Britan. p. 311. ex Tho. Walsingham.

[k] Harpsfield Hist. Eccl. Ang. p. 446.

[l] Worthily; see Godwin de Præsul. p. 102.

A.D. 1305. 33 Edw. I.

The remarkable dialogue betwixt the king and archbishop.

6. No, quoth the king, "I will not be both "party and judge, and proceed against you as I "might by the common law of the land. I bear "more respect to your order, whereof you are as "unworthy as of my favour: having formerly had "experience of your malice in smaller matters, "when you so rigorously used my chaplains attend-"ing on me in their ordinary service beyond the "seas; so that though I sent my letters unto you, "you as lightly regarded what I wrote, as what "they pleaded in their own behalf." Winchelsea having but one guard for all blows, persisted in his submission, desiring (a precedent unparalleled) that the king would give him his blessing. No, said the king, "it is more proper that you should give "me your blessing. But, well, I will remit you to "your own great master the pope, to deal with you "according to your deserts[m]." But the archbishop, loath belike to go to Rome, and staying longer in England than the king's command, and, perchance, his own promise, lurked in a convent at Canterbury till fourscore monks were by the king's command thrust out of their places for relieving him out of their charity; and were not restored till the aforesaid archbishop was banished the kingdom[n].

Winchelsea finds no favour from the pope, and why.

7. Not long after he appeared before pope Clement the Fifth at Bourdeaux, where having been so great a stickler for his holiness, (insomuch that his present disfavour with the king was originally caused by his activity for the pope,) he might rationally have expected some courtesy. But though he had

[m] [Parker,] Antiquitates Brit. ib. [quoted by Parker, ibid. p. 312.]

[n] Annal. Eccl. August. Cant.

used both his hands to scrape treasure for the church of Rome, the pope would not lend his least finger to his support, but suspended him from office and benefit of his place, till he should clear himself from the crime of treason wherewith he was charged. Whether done to procure reputation to the justice of the court of Rome, where, in public causes, men, otherwise privately well deserving, should find no more favour there than they brought innocence thither; or because (which is most probable) the pope loved the archbishopric better than the archbishop; and knew during his suspension both to increase his profit, and improve his power in England, by such cunning factors as he employed in the business; namely, William de Testa, and Peter Amaline, both strangers, to whom the pope committed the sequestration of Canterbury, whilst the cause of Winchelsea did as yet depend undetermined. A.D. 1305. 33 Edw. I.

8. These by papal authority summoned before them John Salmon bishop of Norwich, for exacting the first-fruits of vacant benefices from the clergy of his diocese. The case was this. Some sixty years since, Pandulph, an Italian, and pope's legate, (a perfect artist in progging for money,) being bishop of Norwich[o], pretending his church to be in debt, obtained of his holiness the first-fruits of vacant benefices in Norfolk and Suffolk to discharge that engagement. This grant to him, being but personal, local, and temporary, was improved by his successors to a constant revenue; yea (covetousness being an apt scholar, and profit an easy lesson) this example was followed by other English bishops in their

A signal piece of justice done by foreign sequestrators.

[o] Harpsfield Hist. Eccl. Ang. p. 458.

[illegible] Behold here a piece of exemption [illegible] would have looked for less than the [illegible] appearing but that the [illegible] of them. Whereas these [illegible] that generally [illegible] the institutes of all spiritual [illegible] for three years should [illegible] chamber at Rome: only [illegible] churches were excepted [illegible] why the burden [illegible] may will say, that [illegible] the load [illegible] least mettle to [illegible] the poor parochial [illegible] resist the usurpation of [illegible]

[illegible] William Testa, who according [illegible] departed [illegible] the English wealth, complained [illegible] parliament, was called [illegible] a Spanish cardinal sent in his [illegible] and celebrated a marriage [illegible] Edward and Isabel the king of France [illegible] Towards the bearing of his charges, [illegible] required twelve marks of all cathedrals [illegible] and of parish churches eightpence out [illegible] mark of their yearly revenue. But the king [illegible] with the moiety of his demand.

[illegible] Moreover intolerable were the taxes which [illegible] clergy paid to Rome. The poets feign

[illegible] Antiquitates [illegible] interperantem [illegible] publice in [illegible] quod [illegible] clerum immoderate emungeret." Harpsfield, p. 431. [Trivet, 345. Walsingham in 1308.]

Arethusa, a river in Armenia, to be swallowed up by the earth, and running many miles under the ocean, in Sicily (they say) it vents itself up again. But, without any fiction, the wealthy streams, flowing from a plentiful spring in England, did suddenly disappear, and being insensibly conveyed in invisible channels, not under, but over the sea, were found far off to arise afresh at Rome, in the pope's treasury; where the Italians, though (being themselves bred in a clear and subtile climate) they scorned the dulness of the wits, and hated the gross air of this island, yet hugged the heaviness of the gold thereof; this kingdom being one of the best places for their profit. Although proud Harding saith[qq], that the pope's yearly gains out of England were but as a gnat to an elephant. Oh the overgrown beast of Rome's revenues!

A.D. 1305 33 Edw. I. Suddenly drained from England.

11. The death of king Edward the First gave a great advancement to the pope's encroaching. A worthy prince he was, fixed in his generation betwixt a weak father and son; as if made wise and valiant by their antiperistasis. Equally fortunate in drawing and sheathing the sword, in war and peace; having taught the English loyalty, by them almost forgotten; and the Welsh subjection, which they never learned before. In himself religiously disposed; founded the famous abbey of Vale-royal for the Cistercians in Cheshire[r], and by will bequeathing thirty-two thousand pounds to the holy war. Obedient, not servile to the see of Rome. A foe to the pride, and friend to the profession of the clergy:

The death and character of king Edward the First.

[qq] In Confut. Apolog. [Juelli.]

[r] Camd. Brit. in Cheshire, [p. 461. Trivet, I. 260.]

A.D. 1307. 37 Edw. I. whom he watered with his bounty[s], but would not have to spread so broad as to justle, or grow so high

[s] [This is a character far too favourable to Edward I., as far as concerns his conduct to the clergy, who between himself and the pope were ground as between the upper and the nether millstone. Between the two there was little to choose, they were two evils, and both intolerable: neither cared in the least for the clergy, except so far as it promoted their own interests. Enough has been said of the pope in the foregoing pages; and if he was paid too much of our English coin before, the old score has been pretty well wiped out by a coin of another minting, since the reformation. But in what way Edward I. "watered the clergy by his "bounty" may be seen by the following facts.

In 1293 he fined the archbishop of York in 4,000 marks, "for that he had excommuni- "cated Anthony Beake, bi- "shop of Durham, being then "in the king's service, and one "of his council." (Stow's Chron. p. 206.) In 1294, "there was granted (?) to the "king for aid in the wars (in "Gascony), *the one half of all* "*the goods of the clergy*, a "tenth part of the citizens', "and a tenth of the commons' "goods. There was in all "levied of the clergy at that "time, to the sum of three- "score hundred thousand "pounds, according to the ac- "count, and as it was valued "in Gascoigne; to wit, 8*s.* "silver to the pound." (Stow, ib.) The same year he "took "into his hands all the priories "alien throughout England, "with all their lands and "goods any way arising, com- "mitting the same to officers "under him, allowing to every "monk eighteen pence the "week, and all the surplus of "their revenues was appointed "towards the charges of the "king's wars, retaining also to "his treasury the pensions or "annuities due to the prin- "cipal houses. Also in the "same parliament he obtained "again of the clergy and reli- "gious persons a loan of "money to the value of half "their goods and lands, ac- "cording to the former ex- "actions of the tenths, which "loan amounted to 100,000*l.*, "whereof the abbot of Bury "paid 655*l.* 0*s.* 11½*d.*" (Stow, ib.) The next year "the king "caused all the monasteries in "England to be searched, and "all the money in them to be "brought up to London. He "also seized into his hands all "their lay fees, because they "refused to pay to him such a "tax as he demanded." (Stow, ib.) In 1296 a papal mandate having been published in England, (*de non dando aliquid laicis*,) and the clergy hesitating in consequence to make a subsidy for the king, until they had consulted the pope, Edward took into his own hands all their temporalities; and thereupon holding a par-

as to overtop the regal authority; dying in due time for himself, almost seventy years old, but too soon for his subjects, especially for his son, whose giddy youth lacked a guide to direct him. In a word, as the arm of king Edward the First was accounted the measure of a yard, generally received in England, so his actions are an excellent model, and a praiseworthy platform for succeeding princes to imitate. A.D. 1307. 37 Edw. I.

12. Edward his son, by letters to the pope, requested that Robert Winchelsea might be restored to his archbishopric, which was done accordingly, though he returned too late to crown the king; which solemnity was performed by Henry Woodlock, bishop of Winchester. Here let the peaceable reader part two contrary reports from fighting together, both avowed by authors of credit. Some say[t], Winchelsea, after his return, received his profits maimed and mangled, scarce amounting to half; and that poor pittance he was fain to bestow to repair his dilapidated palace. Others report, his revenues not lessened in quantity, and increased in the entireness, were paid him all in a lump; insomuch, that hereby (having learned thrift in exile to live of a little) he speedily became the richest of all his predecessors[v]; so that he gained by losses; and it was his common proverb, that there is no hurt in adver- Winchelsea at the request of king Edward the Second restored to his archbishopric.

liament, from which the clergy was excluded, declared all their estates forfeited. Those who would not compound, such as the archbishop and others, he treated with the utmost rigour; not only denying them the common necessaries of life, but also interdicting the use of fire and water to any who ventured to relieve them. Thorne, 1965. See also Godwin, p. 101. "Nos quam fœlices," (Godwin innocently observes,) "quibus datum est "juxta præscripta legum no- "stris rebus in omni libertate "ac tranquillitate frui!"]

[t] Harpsfield, Hist. Eccl. Ang. p. 440.

[v] Antiq. Brit. p. 313, ex Adamo Murimutensi.

A.D. 1307. 1 Edw. II.

sity where there hath been no iniquity; and many make his future success an evidence of his former innocence.

The character of king Edward the Second.

13. The calamitous reign of king Edward the Second afforded little history of the church, though too much of the commonwealth except it had been better. A debauched prince this Edward was; his beauty being the best (not to say only) commendable thing about him: he had an handsome man-case, and better it had been empty with weakness, than (as it was) ill-filled with viciousness. Pierce Gaveston first corrupted him[w], maugre all the good counsel that Robert, archbishop of Canterbury, and all his good friends could give him. And when

[w] [According, however, to Thomas de la More, the most judicious and accurate historian of this period, Pierce de Gaveston deserves a far better character than what is given him by the generality of our monkish historians, and owes all his evil fame to the malice and envy of his opponents. De la More thus describes him; "Erat hic Petrus Italus "natione, corpore elegans, in- "genio acer, moribus curiosus, "in re militari satis exerci- "tatus; cujus argumentum, "cum is in Scotia militiæ præ- "sideret Scotos valde terruit, "et a prædis et aliis vesaniis "repressit. Quo, per invidiam "eorum qui felices ejus pro- "gressus haud libenter vide- "runt, revocato invaluit iterum "Scotorum versutia. Reginæ "coronationi interfuerunt Ca- "rolus de Valois frater regis "Franciæ et pater Philippi "primi intrusoris, et dux Bri- "tanniæ, H. Comes Lucen- "burghe postea imperator. "Sed cultu facile omnes ex- "cellnit et ornamentis Petrus: "quare plurimum auxit in se "magnatum invidia." p. 593. Of de la More Stowe thus speaks in his Chronicle at the end of his account of Edward II.; "Thus far out of Thomas "de la More, a worshipful "knight that then lived, and "wrote in the French tongue "what he saw with his eyes, "or heard credibly reported "by them that saw, and some "that were actors. All which "was at the said sir Thom. de "la More's request translated "and more soberly penned in "the Latin tongue by Walter "Baker, alias Swinborne, canon "of Osney besides Oxford." p. 227. See also Oudinus, III. 799.]

Gaveston was killed[x] and taken away, the king's badness was rather doubled than diminished; exchanging one pander to vice for two, the two Spencers. In a word, the court was turned tavern, stews, stage, play-house; wherein as many vain and wanton comedies were acted before the king in his lifetime, so a sad and sorrowful tragedy was acted by him at his death. A. D. 1312. 5 Edw. II.

14. Robert Bruce, king of Scotland, encouraged by the laziness of king Edward, thought this a fit time to recover his country, and which the English detained from him. Whereupon he regained Berwick, inroaded England, invaded Ireland. King Edward in wrath advanceth against him, with an army rather dancing than marching, fitter for a mask than a battle: their horses rather trapped than armed: in all points it appeared a triumphant army, The fatal defeat of the English in Scotland. A. D. 1313.

[x] [He was sacrificed by the treachery of Aylmer de Valence, earl of Pembroke, to whose safe keeping he was committed, and who voluntarily suffered Guy, earl of Warwick, "the "black dog of Ardern," as he was called, to take him prisoner, and decapitate the unfortunate favourite. De la More, ib. Hugh de Spencer was made the king's chamberlain in the place of Gaveston, 1313, by the general consent of the nobles, because he was disliked by the king. "At vero is pru- "dentia et obsequio haud "multo post dirempto regis "animo eum in sui amorem "facile commutavit unde et "illi [sc. proceres] odio eum "vel maximo prosequuti sunt. "Hujus Hugonis pater senex, "adhuc superstes erat, magnæ "probitatis miles, consilio "providus, armis strenuus, cu- "jus confusionem et ignomi- "niosum finem accumulavit "amor naturalis sed disordi- "natus erga filium suum cor- "pore formosissimum, spiritu "superbissimum, actu flagitio- "sissimum, quem spiritus am- "bitionis et cupiditatis a vi- "duarum et orphanorum ex- "hæredatione in necem no- "bilium regis præcipitium, "et sui atque patris interitum "præcipitavit." De la More, 594. The same writer afterwards says of him, "Talia de "Hugone fateor mala, sed non "adeo, quin vulgus garrulus "pejora studuit fingendo de- "monstare et malefacta dete- "riora reddere." 595.]

A.D. 1314. 7 Edw. II. save that no field as yet was fought by them. Thus, excluding all influence of divine Providence, and concluding it was fortune's duty to favour them, at Stirling[y] they bid the Scots battle, wherein ten thousand of our men are by our own authors confessed to be slain. There fell the flower of the English nobility, the king with a few hardly saving themselves by flight. Thus, as *malleus Scotorum*, the hammer, or mauler of the Scots, is written on the tomb of king Edward the First in Westminster; *incus Scotorum*, the anvil of the Scots, might as properly be written on the monument (had he any) of Edward the Second.

Nine eminent schoolmen of the English nation.

15. But leaving these fights, we proceed to other polemical digladiations, more proper for our pen; namely, the disputes of schoolmen, which in this king's reign were heightened to perfection; formerly those were termed *scholastici* who in the schools were rhetoricians, making therein declamatory orations. Such exercises ceasing in this age, the term was translated to signify those who busied themselves in controversial divinity, though some will have them so called from Scholion, a commentary, their studies being generally nothing else than illustrations of the text of Peter Lombard, the master of the sentences. Take them here together at one view, intending to resume them again in their several characters.

y [The battle of Strivelin or Sterling happened in 1313. The invasion of Ireland 1315. and the taking of Berwick 1317.]

Name.	Flourished.	Title.	Order.	Born at.	Bred in,	Buried in,
1. Alexander Hales. [ob. 1245.]	1240. Henry the Third.	Dr. Irrefragabilis, or, Dr. Doctorum.	Franciscan.	Or nigh Hales in Gloucestershire.	Hales, *ibidem.*	The Franciscan church in Paris.
2. Roger Bacon. [ob. 1284 or 1292.]	1280. Edward the First.	Dr. Mirabilis.	Franciscan.	[Ilchester.]	Oxford, in Merton college.	Oxford.
1. Richard Middleton, or, De Media Villa. [ob. circ. 1300.]	1280. Edward the First.	Dr. Fundatissimus.	Franciscan.	Uncertain whether at Middleton-Stoney in Oxfordshire, or Middleton-Cheney in Northamptonshire.	Oxford or Paris.	Paris.
4. John Duns Scotus. [ob. 1308.]	1308. Edward the Second.	Dr. Subtilis.	Franciscan.	Dunstan (contracted Duns) in Emildon parish in Northumberland.	Merton college in Oxford.	Cologne.
5. Gualter Burley. [ob. 1337. circ.]	1337. Edward the Third.	Dr. Approbatus.	Secular priest.		Merton college in Oxford.	Paris.
6. John Baconthorpe. [ob. 1346.]	1346. Edward the Third.	Dr. Resolutus.	Carmelite.	Baconthorpe in Norfolk.	Blackney abbey in Norfolk.	The church of his order in London.
7. William Ocham.	1320. Edward the Third.	Dr. Singularis, or, Pater Nominalium.	Franciscan.	Ocham in Surrey.	Merton college.	Munich in Bavaria.
8. Robert Holcot. [ob. 1349.]	1349. Edward the Third.	Dr.	Dominican.	Holcot in Northamptonshire.	Oxford.	Northampton, where he died of the plague, [1349, and was buried in the Dominican convent.]
9. Th. Bradwardine. [ob. 1349.][a]	1350. Edward the Third.	Dr. Profundus.	Secular priest.	Bradwardine in Herefordshire.	Merton college in Oxford.	St. Anselm's chapel in Canterbury.

[a] [Sir Henry Savile conjectures that Bradwardine was born at Chichester, from the express words of Bradwardine in his treaise De Causa Dei, p. 559; or perhaps at Hartfield in that diocese, as Bale and Parker have asserted. He is supposed to have been proctor of the university in 1325. He died at Lambeth not long after his consecration in 1349.]

A. D. 1314. 7 Edw. II. Besides many other schoolmen of inferior note, which we pass by in silence; now we may safely dare all Christendom besides to shew so many eminent school-divines, bred within the compass of so few years; insomuch that it is a truth what a foreign writer[a] saith, *Scholastica theologia, ab Anglis, et in Anglia, sumpsit exordium, fecit incrementum, pervenit ad perfectionem.* And although Italy falsely boasteth that Britain had her Christianity first from Rome, England may truly maintain, that from her (immediately by France) Italy first received her school-divinity.

Alex. Hales their father and founder. 16. Of these schoolmen, Alexander Hales goeth the first, master to Thomas Aquinas and Bonaventure, whose livery in some sort the rest of the schoolmen may be said to wear, insisting in his footsteps. At the command of pope Innocent the Fourth he wrote the body of all school-divinity in four volumes[b]. He was the first Franciscan who

[a] Alexander Minutianus in Epistola.

[b] [Summa universæ Theologiæ quadripartita, Basileæ 1502, in fol. and several editions subsequently. This work was completed by William de Meliton and others in 1252. See Wadding's Annales ad an. 1245, and Oudinus, III. 217. Hardly a statement is advanced in this paragraph (§. 16.) which has not been controverted, owing to the mutual jealousies of the different orders. According to a very ancient work, entitled *Firmamentum trium Ordinum*, published about 1512, besides this Summa, Hales wrote a commentary on the scriptures; "super totam Bibliam, tam "vetus quam etiam novum "Testamentum, ad longum, "nihil dimittens indiscussum, "opus certe multum prolixum "ac laboriosum." (f. xlii.) 2. *Super Magistrum sententiarum ad litteram*, being the first commentary of the kind. 3. *Compendium Theologiæ*, divided into six books. 4. *De Sacramento pœnitentiæ*. 5. *Mariale magnum*, in six books. 6. *Super regulam fratrum Minorum*. Bonaventura is the only person mentioned in the Firmamentum as having studied under Hales; and even this is denied by Oudinus, III. p. 133. But

ever took the degree of doctor in the university, (who formerly counted the height of a degree inconsistent with the humility of their order,) as appeareth by the close of his epitaph. A.D. 1314. 7 Edw. II.

(Factus) egenorum, fit primus Doctor eorum.

So great an honourer of the Virgin Mary, that he never denied such who sued to him in her name[c]: as since our Mr. Fox is said never to have denied any who begged of him for Jesus Christ.

17. Roger Bacon succeeds. O what a sin is it to be more learned than one's neighbours in a barbarous age! Being excellently skilled in the mathematics, (a wonder-working art, especially to ignorant eyes,) he is accused for a conjurer by Hieronymus de Esculo, minister-general of his order, and afterwards pope, by the name of Nicholas the Fourth. The Bacon accused for a conjurer.

Thomas de Aquino or Aquinas, as it seems, was never his pupil. The mistake may not improbably have arisen from this expression in the same work, ib. "Sicut omnes "doctores et scribentes super "sententias communiter hunc "doctorem (de Hales) se-"quuntur, ut patet intuenti-"bus singulariter, sanctus "Thomas de Aquino ipsum "in omnibus suis scriptis se-"quitur *tanquam discipulus* "*magistrum*, multaque ab eo "pie furatur; maxime in se-"cunda secundæ, ut dicit ma-"gister Joannes Gerson et "Stephanus Brulifer, sicut "etiam clarius patet intuenti-"bus amborum summas." Hales died on the 27th of August, 1245, and was buried in the convent of the Minorites at Paris, in the chapel of St. Francis, "inter crucifixum "navis ecclesiæ et chorum." In the same work, at f. ix, are inserted the two inscriptions to his memory engraven on his monument, of which Fuller has quoted one line. In the second of these he is called "archelevita Anglorum:" which I imagine means, an archdeacon. Great confusion exists in all the accounts of the writings of Hales, which many modern writers have helped to increase. And yet if any, he, of all others of the schoolmen, deserves a better fate. Time however will do him full, though it will be but tardy, justice.]

[c] [Pitt's de Script. Ang. p. 314.]

A.D. 1314. 7 Edw. II.

best is, this Hieronymus before he was a pope was not infallible, and therefore our Bacon might be scandalized by him: however he was committed to prison at Rome by pope Clement the Fourth, and remained in durance a considerable time, before his own innocence, with his friends' endeavours, could procure his enlargement.

Many Bacons in one make a confusion.

18. For mine own part, I behold the name of Bacon in Oxford, not as of an individual man, but corporation of men; no single cord, but a twisted cable of many together. And as all the acts of strong men of that nature are attributed to an Hercules; all the predictions of prophesying women to a sibyll: so I conceive all the achievements of the Oxonian Bacons in their liberal studies are ascribed to one, as chief of the name. And this in effect is confessed by the most learned and ingenious orator of that university[d]. Indeed we find one Robert Bacon who died anno 1248, a learned doctor; and Trithemius styleth John Baconthorpe plain Bacon, which addeth to the probability of the former assertion[e]. However this confounding so many Bacons in one hath caused antichronismes in many relations. For how could this Bacon ever be a reader of philosophy in Brasen-Nose college, founded more than one hundred years after his death? so that his brazen head (so much

[d] Wake's Rex Platonicus, p. 209, 210.

[e] [See Wood's Antiquities of Univ. of Oxford, p. 136. Wadding's Annales ad an. 1266 and 1278, and the list of his works quoted by Bale, Script. IV. §. 55. But Robert Bacon and John Baconthorpe are clearly distinct persons from Roger Bacon; the former living considerably before, the latter considerably after Roger Bacon. Besides that, Baconthorpe was a Carmelite, and not a Franciscan. Of Baconthorpe, see below, p. 255.]

spoken of, to speak) must make time past to be again, or else these inconsistencies will not be reconciled. Except any will salve it with the prolepsis of Brasen-Nose hall, formerly in the place where the college is now erected. I have done with the Oxford Bacons, only let me add, that those of Cambridge, father and son, Nicholas and Francis, the one of Bennet, and the other of Trinity college, do hold (*absit invidia*) the scales of desert, even against all of their name in all the world besides. A. D. 1314. 7 Edw. II.

19. John Duns Scotus succeeds, who some will have called Scotus, *ob profundissimam dicendi obscuritatem*[f], from his profound obscurity in writing. Indeed there was one Heraclitus, to whom *cognomen Scotinon fecit orationis obscuritas*[g], but others conceive him so called, either from Scotland his country, or John Scott his father. Nor was he called *Duns*, as some will have it contractedly from *Dominus*, but from the place of his nativity, though three kingdoms earnestly engage to claim him for their countryman. Duns Scotus, why so called.

England.

It is thus written at the end of his manuscript works in Merton College in Oxford, whereof he was fellow; *Explicit lectura subtilis in universitate Parisiensi doctoris Joannis Duns nati in quadam villula parochiæ de Emildon vocata Dunston, in comitatu Northumbriæ, pertinente domui scholarium de Merton hall in Oxonia*[h]. Three kingdoms lay claim to his birth.

[f] Sixtus Senensis, [Biblioth. I. 417. ed. 1762.]

[g] Seneca in Epist. [XII. p. 282. ed. 1633.]

[h] Quoted by Camden in his Brit. Northumberland, [p. 678.]

A. 1314. Ed. II.

Scotland.

Although John Scot dissembled himself an Englishman, to find the more favour in Merton college, living in an age wherein cruel wars betwixt England and Scotland, yet his tomb erected at Cologne is bold to tell the truth, whereon this epitaph[i]:

> Scotia me genuit. Anglia suscepit,
> Gallia edocuit. Germania tenet.

Besides, the very name of Scotus avoweth him to be a Scotchman.

Ireland.

He is called Joannes *Duns*, by abbreviation for *Dunensis*, that is, born at *Doune*[j], an episcopal see in Ireland, where Patricius, Dubricius, and St. Columba lie interred. And it is notoriously known to critics, that Scotus signifieth an Irishman in the most ancient exception thereof.

I doubt not but the reader will give his verdict, that the very Scotiety of Scotus belongeth to England as his native country, who being born in Northumberland, which kingdom in the Saxon heptarchy extended from Humber to Edinburgh Frith; it was a facile mistake for foreigners to write him a Scotchman on his monument. As for the name of Scotus, it is of no validity to prove him that countryman; as a common surname amongst us, as some four years since, when the Scotch were enjoined to depart this land, one Mr. English in London was

[i] Archbishop Spotswood, in his History of the Church of Scotland, [p. 54. ed. 1677.]

[j] Hugh Cavel, in Vita Scoti, [prefixed to his edition of Duns Scoti Quæst. in V. Lib. Sententiarum, t. I. ed. 1620.]

then the most considerable merchant of the Scotch nation. The said manner of Scotus his death is sufficiently known, who being in a fit of a strong apoplexy, was by the cruel kindness of his over-officious friends buried whilst yet alive, and recovering in the grave, dashed out his brains against the coffin, affording a large field to such wanton wits in their epigrams, who could make sport to themselves on the sad accident of others[k]. A.D. 1314. 7 Edw. II.

20. I had almost overseen John Baconthorpe, being so low in stature, as but one remove from a dwarf, of whom one saith, Low, but learned Baconthorpe.

> Ingenio magnus, corpore parvus erat[l].
>
> His wit was tall, in body small.

Insomuch that *corpus non tulisset, quod ingenium*

[k] [Scotus died a natural death in 1308. This fabulous account of it is completely refuted by Wadding in the Life prefixed by him to his edition of the works of Duns Scotus. Lugd. 1639. See also his Annales Minorum, t. VI. 40 sq. and 107 sq. ed. Rome. Alex. Natalis, Hist. Eccl. t. VII. p. 142, ed. 1731, who has given a brief summary from Wadding. Hugh. Cavelli Apologia contra Bzovium, chap. 10.]

[l] Johannes Trissa Nemausensis in libro de viris illustribus. [This and the following reference from Papiensis are from Bale, who has the following remark upon John Baconthorpe: "et magnam ab eo "facto famam per litteras sibi "peperit, ut fusius narrat Ja- "cobus Calcus Papiensis in "opere suo de Henrici octavi "Anglorum regis divortio.— "Statura quidem pusilla fuit "sed magno ingenio atque "eruditione ut habet Johannes "Trissa Nemausensis in libro "suo 'De Viris illustribus,' "juxta illud vetus poetæ "dictum,

'Ingenio magnus, corpore parvus erat.'" Bale Cent. V. §. 1.

After considerable search I was unable to find either of the writers here referred to, until Dr. Bandinel pointed out to me the treatise of John Trissa here mentioned, among Bale's MS. Collections in the Bodleian, Seld. 41. It is entitled: "Catalogus Parhi- "siensium Doctorum quo- "rundam ordinis Carmeli "per Johannem Trissam Ne- "mausensem Carmelitam a Jo- "hanne Bareto Anglo revisus, "limatus et tersus." Bale

A. D. 1314. 7 Edw. II.

protulit, "his body could not bear the books which "his brain had brought forth." Coming to Rome (being sent for by the pope) he was once hissed at in a public disputation for the badness forsooth of his Latin and pronunciation [m]; but indeed because he opposed the pope's power in dispensing with marriages, contrary to the law of God, whose judgment was afterwards made use of by the defenders of the divorce of king Henry the Eighth [n].

Ocham a tiff imerialist.

21. William Ocham sided with Lewis of Bavaria against the pope, maintaining the temporal power above the spiritual; he was fain to fly to the emperor for his safety, saying unto him,

> Defende me gladio, et ego te defendam verbo.
>
> Defend me with thy sword, and I will defend thee with my word.

has slightly altered the quotation, as appears by this manuscript. To this work John Baret has added the lives of some writers omitted by Trissa, and among the rest that of Trissa himself in the following words: "Johannes Trissa Gallus, ge- "nerosus, de provincia Nar- "bonæ et de Conventu Ne- "mausi, theologicæ laureæ "Parhisii candidatus, suæ "doctrinæ specimen exhibi- "turus accedit, multiplici vir- "tutum litterarumque ornatus "congerie. Futurum hunc "sanctæ sedis antistitem im- "matura mors impedivit. E- "didit iste glossemata (quas "legit Parhisius) in sententias "et in bibliam. Cathalogum "quoque composuit de magi- "stris Parhisii et de Carmeli "pastoribus primis, atque Ca- "pitulorum canones. Plura "adhuc scripsisset si non ob- "stitisset mors emula. Non "sine multorum ejulatu mor- "tuus est venerabilis iste pater "Nemausi, anno Domini "M.CCC.LXIII. 5ª die Julii, "longa alioqui vita dignissi- "mus."

Of Baconthorpe, or de Bacon, (as he is more correctly called,) or Joannes Anglicus, (as he is frequently called,) see Alegre, Paradisus Carmeliticus, p. 294, and the preface to his works by Franciscus de Medicis.]

[m] Bale, [Scriptores, V. §. 1.]

[n] Jacobus Calcus Papiensis. ["James Calcus Papiensis "in opere suo de Henrici 8vi "Anglorum regis divortio." Bale, p. 382.]

This Occam was Luther's chief if not sole school-man, who had his works at his fingers' end: loving him no doubt the better for his opposition to the pope[p]. A. D. 1320. Edw. II.

22. Robert Halcot was one the meanest amongst them, who died of the plague at Northampton just as he was reading his lectures on the seventh of Ecclesiasticus[q], wherein as many canonical truths as in any Apocrypha chapter: and although as yet in his public reading he was not come to the last verse thereof, (so proper for mortality,) we may charitably believe he had seriously commented thereon in his private meditations. *Whatsoever thou takest in hand, remember the end, and thou shalt never do amiss.* Bale's writings touch.

23. Thomas Bradwardine bringeth up the rear, though in learning and piety (if not superior) equal to any of the rest, witness his worthy book against Pelagianism, to assert the freeness of God's grace in man's conversion, which he justly intituleth, *De causa Dei*[r], "of God's cause;" for as God is a second in every good cause, so he is a principal in this, wherein his own honour is so nearly concerned. And though the Psalmist saith, *Plead thine own cause O Lord;* yet in this age, wherein miracles are ceased, God pleadeth his cause, not in his person, but by the proxy of the tongues, and pens, hands The just praise of Tho. Bradwardine.

p [Pope John XXII. The Romanists said of him; "Nullus unquam scriptor S. Matri ecclesiæ adeo se simul amore et odio dignum reddidit, ac iste Occamus. Dum theologica scribit nemo melius; dum contra ecclesiam, insolentior nemo." See Fabricius Biblioth. Lat. Med. Ævi, VII. 158.

q [Bale's Scriptores V. §. 84. See also Echard Scriptores Dominicani, i. p. 629.]

r [Edited by sir Henry Savile, and printed at London in 1618.]

A.D. 1314. 7 Edw. II. and hearts of his servants. This Bradwardine was afterwards archbishop of Canterbury, and how highly esteemed, let Chaucer tell you.

> But I ne cannot boult it to the bren,
> As can the holy doctor St. Austin,
> Dr. Boece, or the bishop Bradwardin[s].

This testimony of Chaucer by the exact computation of time, written within forty years after Bradwardine's death, which addeth much to his honour, that in so short a time his memory was in the peaceable possession of so general a veneration, as to be joined in company with St. Augustine and Boethius, two such eminent persons in their several capacities.

Schoolmen busied in needless difficulties.

24. The schoolmen principally employed themselves in knotty and thorny questions of controversial divinity; indeed as such who live in London, and like populous places, having but little ground for their foundations to build houses on, may be said to enlarge the breadth of their houses in height; I mean increasing their room in many stories one above another; so the schoolmen in this age, lacking the latitude of general learning and languages, thought to enlarge their active minds by mounting up. So improving their small bottom with towering speculations, though some of things mystical that might not, more of things difficult that could not, most of things curious that need not be known unto us.

Excuses for their bad Latin.

25. Their Latin is generally barbarous, counting any thing eloquent that is expressive, going the nearest way to speak their own notions, though sometimes trespassing on grammar, abusing if not

[s] The Nonnes Preestes tale [v. 15247.]

breaking Priscian's head therein[t]: some impute this their bald and threadbare language to a design that no vermin of equivocation should be hid under the nap of their words; whilst others ascribe it to their want of change, and their poverty in learning, to procure better expressions. A. D. 1314. 7 Edw. II.

26. Yet these schoolmen agreed not amongst themselves in their judgments. For Burley being scholar to Scotus, served him as Aristotle did Plato his master, maintaining a contrary faction against him. Ocham his scholar, father of the nominals, opposed Scotus the founder of the reals; which two factions divided the schoolmen betwixt them; Holcot being a Dominican, stiffly resisted the Franciscans about the conception of the Virgin Mary, which they would have without any original sin. However the papists, when pressed that their divisions mar their *unity*, (a mark of the church whereof they boast so much,) evade it, by pleading that these points are not *de fide*, only in the outskirts of religion, and never concluded in any council to be the articles of faith. Their several divisions in judgment.

27. All of these schoolmen were Oxford, most Merton college men. As the setting up of an eminent artist in any place of a city draws chapmen unto him to buy his wares, and apprentices to learn his occupation. So after Roger Bacon had begun school-divinity in Merton college, the whole gang and genius of that house successively applied their studies thereunto; and many repaired thither from all parts of the land for instruction in that nature. Meantime Cambridge men were not idle, but other- All Oxford, most Merton college.

[t] Opus operatum.

A.D. 1314. 7 Edw. II.

wise employed, more addicting themselves to preaching, whereof though the world took not so much notice, positive divinity not making so much noise as controversial, (where men engage more earnestness,) yet might be more to God's glory, and the saving of the souls of men.

Why school-divinity not so used in Oxford after this age.

28. Some will wonder, seeing school-divinity was so rife in Oxford in this age, for some hundred years together, viz. from towards the end of Henry's to the end of Edward's reign, both the third of their names,) how the study thereof, should sink so suddenly in that university, which afterwards produced not such eminent men in that kind. But hereof several reasons may be assigned:

i. The wars betwixt York and Lancaster soon after began; a controversy indeed, which silenced school-velitations, students being much disheartened with those martial discords.

ii. Once in an age the appetite of an university alters as to its diet in learning, which formerly filled (not to say surfeited) with such hard questions, for variety sake, sought out other employments.

iii. The sparks of scholars' wits, in school-divinity, went out for want of fuel in that subject, grown so trite and threadbare, nothing could be but what had been said of the same before. Wherefore fine wits found out other ways to busy themselves.

iv. Only information of the brain, no benefit to the purse, accrued by such speculations, which made others in after-ages to divert their studies, *a quæstionibus, ad quæstum*, from metaphysical queries to case-divinity, as more gainful and profitable; best enabling them for hearing confessions, and proportioning penance accordingly.

Since the reformation, school-divinity in both the universities is not used (as anciently) for a sole profession by itself to engross all a man's life therein, but only taken as a preparative quality to divinity; discreet men not drowning, but dipping their minds in the study thereof. A.D. 1314. 7 Edw. II.

28. Return we now to the commonwealth which we left bad, and find amended, as an old sore without a plaster in cold weather; king Edward rather wilful than weak, (if wilfulness be not weakness, and sure the same effects are produced by both, ruin and destruction,) slighted his queen's company, and such a bed if left (where beauty without grace) seldom standeth long empty. Queen Isabel blinded with fury, mistook the party who had wronged her, and revengeth her husband's faults on her own conscience, living incontinently with Roger Mortimer; a man martial enough, and of much merit otherwise, save that an harlot is a deep pit, therein invisibly to bury the best deserts. The two Spencers ruled all at pleasure, and the king was not more forward to bestow favours on them, as they free to deal affronts to others their superiors in birth and estate. Thus men of yesterday have pride too much to remember what they were the day before; and providence too little to foresee what they may be to-morrow. The nobility (then petty kings in their own countries) disdained such mushrooms should insult over them; and all the Spencers' insolencies being scored on the king's account, no wonder if he (unable to discharge his own engagements) was broken by suretyship for others. The sad distemper of England at this time.

29. I find it charged on this king, that he suffered the pope to encroach on the dignity of the crown, to King Edward accused for

A.D. 1314. 7 Edw. II.

betraying his privileges to the pope.

the great damage, and more dishonour of the nation[t]. Indeed his father left him a fair stake, and a winning hand, (had a good gamester had the playing thereof,) having recovered some of his privileges from the papal usurpation, which since it seems his son had lost back again, though the particulars thereof in history do not so plainly appear. Only it is plain, that to support himself, and supply his necessities, he complied with the clergy, (a potent party in that age,) favourably measuring out the causes of their cognizances; for although in the reign of his father an hedge was made by an act in that nature, betwixt the spiritual and temporal courts, yet now a ditch (a new act) was added to the former scene. So that hereafter (except wilfully) they could not mutually trespass on each other's jurisdictions.

[t] [See however the Fœdera, I. 617.]

RICHADO SEYMERE[a],

NECESSARIO MEO.

Inter amicum meum et necessarium hoc pono discriminis, quod ille ad bene esse, hic ad meum esse quodammodo requiratur. Quo nomine tu mihi es salutandus, qui sine te plane mancus mihi videor. Tua enim artifici dextra, usus sum, per totum hoc opus in scutis gentilitiis depingendis. Macte, vir ingenue, ac natales tuos, generosos satis, novo splendore illustriores reddito.

COLLEGES yet were few, and students now many in Oxford: whereupon Walter Stapleton, bishop of Exeter, founded and endowed one therein by the name of Stapleton's inn, since called Exeter college[b]. This bishop was one of high birth and large bounty, being said to have

A.D. 1316. 9 Edw. II.

Exeter college founded by bishop Stapleton.

[a] [Arms. Or, two angels' wings conjoined and inverted, gules, on a chief sable three martlets argent, a mullet for difference. This is the coat of Seymere or Seymour of Hanford, county of Dorset, and according to the visitation of that county in 1623, was then so borne by sir Robert Seymere, one of the barons of the exchequer, who married a daughter of sir William Pitt of Westminster. This Richard Seymere, from the mullet in his coat, was probably a third son of that family.

Hanford near Pimperne is still the seat of Henry Seymour, esq.]

[b] [See Wood's History of Colleges, &c. p. 104. According to whom Stapleton's-hall and Hart-hall were the same places; but Mr. Stapleton, dissatisfied with the original site, removed his foundation to a more convenient one, and so founded the present Exeter college.]

A.D. 1316. 9 Edw. II. expended a year's revenues of his (then rich) bishopric in the solemnity of his instalment. He also founded Hart-hall in Oxford. But oh the difference betwixt the elder and younger brother, though sons to the same father! the one carrying away the whole inheritance, whilst the other sometimes hath little more than himself left unto him, as here this hall is altogether unendowed.

Who afterwards was barbarously murdered.

2. This worthy bishop had an unworthy and untimely death some ten years after. For being lord treasurer, and left by the king in his absence to govern the then mutinous city of London, the citizens, not without encouragement from the queen, furiously fell upon him, and in Cheapside most barbarously butchered him, and then, as hoping to bury their murder with his body, huddled him obscurely into a hole[c]. But afterward, to make his ghost some reparation, and stop the clamour of the clergy, the queen ordered the removing and interring of his body and his brother's, a valiant knight slain on the same account, in the cathedral of Exeter. One would wonder this bishop was not made a martyr and sainted in that age, save that his suffering was of civil concernment, and not relating to religion[d].

Sir William Petre his bounty.

3. This house hath since found two eminent benefactors, first, sir William Petre, (born of honest

[c] [Thos. de la More, p. 599.]

[d] "[His ita se habentibus "[a. 1326.] vulgus Londini re- "ginæ et Rogero de Mortuo- "mari volens complacere bonæ "memoriæ Dominum Wal- "terum episcopum Exon: "decimo quinto Octobris in "medio civitatis furiosæ cap- "tum decapitavit; et quosdam "etiam alios, ea sola causa "quod regis ministerio fideli- "ter adhæserunt, atrociter ne- "cevere. Caput vero episcopi "reginæ apud Gloverniam suo "exercitui incumbenti, ut "sacrificium Deo et benepla- "citum obtulerint." De la More, p. 599. This is partly confirmed by Avesbury, p. 5.]

parentage in Exeter,) principal secretary to four successive kings and queens. One who in ticklish and turning times did good to himself, got a great estate, injurious to none that I ever heard or read of, but courteous to many, and eminently to this college, wherein he bestowed much building, and augmented it with eight fellowships[e]. A.D. 1316. 9 Edw. II.

4. The other, George Hakewill[f], doctor of divinity, late rector thereof, who though married and having children, (must it not be a quick and large fountain, which besides filling a pond had such an overflowing stream?) bestowed more than one thousand pounds in building a beautiful chapel. This is he who wrote the learned and religious "Apology for Divine "Providence," proving that the world doth not decay. Many begin the reading thereof with much prejudice, but few end it without full satisfaction, converted to the author's opinion by his unanswerable arguments. Dr. Hakewill built this chapel.

5. This college consisteth chiefly of Cornish and Western men here most proper.

[e] [He was likewise a considerable benefactor to All-Souls college.]

[f] [He was the son of John Hakewill, a merchant of Exeter, and born in the parish of St. Mary Arches. At first a commoner of St. Alban hall, afterwards fellow of Exeter college, and shortly after archdeacon of Surrey. About the year 1616 he fell into some troubles for his zeal in opposing the Spanish match. He was a writer of very considerable talent, but the best of his works (which are enumerated by Wood, Athenæ, II. p. 124.) is his "Apology or "Declaration of the providence "of God in the government "of the world," proving, in opposition to some passages advanced by bishop Goodman in his "Fall of Man," that the world does not decay. Though inclined to the low church party, he suffered in the great rebellion, was driven from the rectory of Exeter college, and retired to Staunton near Barnstaple in Devonshire, and there died in 1649. See besides Wood, Lloyd's Memoirs, p. 540. Fuller's Worthies, p. 280. Goodman's Court of king James, I. p. 365.]

D. 1316. Edw. II. Devonshire men, the gentry of which latter, queen Elizabeth used to say, were courtiers by their birth. And as these western men do bear away the bell for might and sleight in wrestling, so the scholars here have always acquitted themselves with credit in *palæstra literaria*. The rectors of this house anciently were annual (therefore here omitted) fixed, but of latter years to continue the term of their lives.

Rectors.	*Bishops.*	*Benefactors.*	*Learned writ*
1566. John Neale. 1570. Robert Newton. 1578. Tho. Glasier. 1592. Tho. Holland. 1612. John Prideaux. 1642. George Hakewill. 1649. [John] Conant.	1641. John Prideaux, bishop of Worcester. 1641. Tho. Winniff, bishop of Lincoln.[g]	Edmund Stafford, bishop of Exeter. Mr. John Peryam, alderman of Exeter. Sir John Ackland, knight, expending (besides other benefactions) 800*l.* in building the hall.	Judge D ridge. George Hack John Pride Sir Simon kervil. Dr. Veluain. Nath. Carp Nath. Norris George Ken

So that lately therein were maintained, one rector, twenty-three fellows, a bible-clerk, two pensioners, servants, commoners, and other students, to the number of two hundred.

e king's rteous wer to prelates' plaints. 6. Clergymen began now to complain that the lay judges intrenched on their privileges, and therefore they presented a petition to the king in his parliament at Lincoln, requesting the redress of sixteen grievances. To most of them the king returned a satisfactory answer, and so qualified his denials to the rest, that they could not but content any reasonable disposition.

[f] I am informed that Dr. Prideaux, in a dedication to one of his ser mons, hath reckoned all the worthy writers of this house, but as yet I have not seen it. [I have never been able to discover this sermon.]

[g] [Twenty bishops to the year 1756 are mentioned by Wood.]

7. These concessions of the king were digested into laws, and are printed at large in the statutes known by the title of *Articuli Cleri*. Whereon sir Edward Coke, in the second part of his Institutes, hath made no less learned than large commentary. So that though the law of *circumspecte agatis* had stated this difference, yet it seems this statute (as *circumspectius agatis*) was conceived very requisite. A. D. 1316. 9 Edw. II. Made a printed statute under the title of *Articuli Cleri*.

8. Moreover, these statutes did not so clearly decide the difference betwixt the spiritual and temporal jurisdictions, but that many contests happened afterwards betwixt them; no longer ago than in the fifth of king James, when the doctors of the commons under Richard Bancroft, archbishop of Canterbury, their general, opposed the judges about the indeterminable controversies of prohibitions. Add hereunto, that the clergy claimed to themselves the most favourable interpretation of all statutes in their own behalf, whilst the temporal judges (in the not sitting of parliaments) challenged that privilege to themselves. Yet the controversy between the two jurisdictions still continued.

9. The most lasting monument of the memory of woful king Edward the Second, was the building of Oriel college in Oxford[h]. Indeed some make him, and others Adam de Brom, his almoner, founder thereof[i], and both perchance truly, the king allowing, his almoner issuing money for the building and endowing thereof. Others will have it, that his almoner persuaded him on conscientious principles to this good work, pertinently alleging and pressing this instance, to prove that the king's nature was not bad in itself, A. D. 1324. Oriel college built by king Edward the Second.

[h] [Formerly called St. Mary's the Virgin. Wood, p. 122.]

[i] [His memory is still preserved in a chapel called after his name; now part of St. Mary's church.]

A. D. 1324. 17 Edw. II. but too yielding to the impressions of others. Now whereas the other alms of this king were perishing, as relieving only poor for the present; these, as more lasting, have done good to many generations.

Query about the name thereof.

10. I meet with no satisfactory reason of the name which some will have to contain something of Easterness therein: so situated comparatively to some more ancient foundation. Others deduce it from oriolium, an eminent room in monasteries[k], and I cannot but smile at such who will have *O royal!* as a pathetical admiration of princely magnificence[l].

Kings nursing fathers to this house.

11. However, I do not deny but that the kings of England have been very indulgent to this foundation. For besides king Edward the Second the founder thereof, his son king Edward gave unto them the hospital of St. Bartholomew's nigh Oxford, with lands to maintain eight poor people, subject to the government of the provost and fellows of this college. Besides, king James being informed of some legal defects in this foundation, granted them a new corporation cavil-proof against all exceptions.

Lately rebuilded most decently.

12. This college being much decayed, Anthony Blencow late provost, bequeathed twelve hundred pounds to the new building of a front thereof: which being done, lest it should be a disgrace to the rest of the fabric, the whole college is rebuilt in a most decent manner.

[k] M. Paris in vitis Ab. Sti. Albani, p. 100.

[l] [More probably from La Oriole, the name of an extensive messuage bestowed on chapel by king Edward 1327.]

A. D. 1324. 17 Edw. II.

Provosts.	*Benefactors.*	*Bishops.*	*Learned writers.*
1326. Adam de Brom.	John Franke gave four fellowships.	John Carpenter, bishop of Worcester.[p]	William Allen, cardinal.
1332. William de Leverton.	John Carpenter, bishop of Worcester, gave one fellowship.		Sir Walter Raleigh.[q]
1347. William de Haukesworth.	William Smith, bishop of Lincoln, gave one fellowship.		William Prynne.
1349. William de Daventre.	Richard Dudley, D.D. gave two fellowships and two exhibitions.		
1373. William de Colyntre.			
1385. John de Middleton.			
[1394. John de Maldon.]			
1401. John de Possel.			
William de Corffe.			
1414. Thomas de Lintlewarden[m].			
Henry Kayle.			
1425. Nicholas Barry[n].			
John Carpenter.			
1443. Walter Lyhart.			
1445. John Halse.			
1449. Henry Sampson.			
Thomas Hawkins.			
1478. John Taylor.			
1493. Thomas Cornish.			
1507. Edmund Mylforde[o].			
1516. James More.			
1530. Thomas Ware.			
1538. Henry Mynne.			
1540. William Haynes.			
1550. John Smith.			
1565. Roger Marbeck.			
1566. John Belly.			
1572. Anthony Blencowe.			
1617. Dr. William Lewes.			
1621. Dr. John Tolson.			
1644. Dr. John Sanders.			

So that lately were maintained therein, one provost, eighteen fellows, one bible-clerk, twelve exhibitioners, with commoners and college officers amounting to one hundred and sixty.

[m] [Or Leintwarden. Wood, ib.]

[n] [Wood calls him Herry.]

[o] [Wylsford. Wood.]

[p] [Wood enumerates sixteen prelates as having belonged to this college to the year 1766.]

[q] Before or after of Christchurch.

A.D. 1325. 18 Edw. II.

War between the queen and king.

18. Let us cast our eye on the commonwealth only, as it is the ring wherein the diamond of the church is contained, and that now full of cracks, caused by the several state factions. The two Spencers ruled all things till the queen and her son (who politicly had got leave to go beyond the seas) returned into England with a navy and army landing in Suffolk [r]. She denounceth open war against her husband, unless he would presently conform to her desires [s].

Counter proclamations and counter rumours.

14. The king proclaimed that a thousand pounds should be given to him that brought the head of Roger Mortimer. The queen proclaimed (such who had the better purse may give the greater price) that whosoever brought the head of the young Spencer (it seems his father was not so considerable) should have two thousand pounds. The queen's party gave out that the king of France had sent over a vast army for her assistance, and the king's side anti-rumoured (who could raise reports easier than armies) that the pope had excommunicated all such who sided against him [t]: now though both reports

[r] [Apud portam de Herwyke in parte orientali Angliæ. Chron. de Lanercost. an. 1326.]

[s] [According to the Chronicle of Lanercost, the king sent her into France under the expectation that she would be able to negociate a peace between him and her brother, the king of France. On the same authority it is stated that the cause of her enmity to the younger Spencer, who was supreme in the king's favour, arose from his attempting to procure a divorce between the king and queen, for which purpose he sent Thomas de Dunheved and Robert de Baldock to Rome. Chron. de Lanercost. an. 1325.]

[t] [Quite the reverse according to Thomas de la More, p. 598. "Præterea prosiluit "mendacium ab exercitu [sc. "reginæ] in omnes regni plagas divulgatum, quod summus pontifex Romanus omnes "Anglos absoluit a fidelitate "jurata suo regi, fulminaretque sententiam excommunicationis in omnes contra re-

were false, they made true impressions of hope in such hearts as believed them. A. D. 1326. 19 Edw. II.

15. Three ways were presented to king Edward, fight, flight, and concealment; the first he was unable to do, having no effectual forces, only able for a time to defend the castle of Bristol, till many of his complices were taken therein: a tower therein (given out to be undermined) being indeed undermonied with bribes to the defenders thereof. Here the elder Spencer was taken and executed. The king unable to fight,

16. Flight was no less unsafe than dishonourable, for his kingdom being an island, the sea would quickly put a period thereunto. Indeed there was some thoughts of his flight into Ireland, which was no better than out of a dirty way into a very bog; besides great the difficulty to recover the sea, and greater to pass over it, all ports and passages were so waylaid. Or flee.

17. Concealment was at the last resolved on, not as the best, but only way of his security; for a time he lay hid amongst the Welsh[u] (not able to help, but willing to pity him as a native of their country) concealed in the abbey of Nethe, till men are sent down with money, (no such light as the shine of silver wherewith to discover a person inquired for,) and soon after he was betrayed into their hands[v]. The younger Spencer taken with him is hung on a After a short concealment is taken.

" ginam arma deferentes. Ad " hujus mendacii confirmatio- " nem finguntur duo cardinales " esse exercitui reginæ adhæ- " rentes nuntii præmissorum."]

[u] [Th. de la More, p. 599. Avesbury, p. 6.]

[v] [He was treated with considerable barbarity, having first been hung, then decapitated, last of all quartered; his head was placed on London bridge, one of his quarters was sent to Dover, another to Bristol, a third to York, and the fourth to Newcastle. Avesbury, p. 6.]

A.D. 1326. 19 Edw. II. gallows fifty foot high, and the promised two thousand pounds were duly paid, and equally parted betwixt several persons employed in his apprehension.

King Edward resigneth his crown.

18. Many persons of quality were sent down from the parliament then sitting to king Edward, to Kenilworth castle, to move, *alias* to command him to resign the crown, which at last he sadly surrendered. Sir William Trussel, a lawyer of great abused abilities, being rather to make than find a precedent in this kind, improved his wits in the formalities thereof. Soon after prince Edward his son is crowned king, whose father is now no more than plain Edward of Caernarvon, though his mother, whose title was relative to, and a derivative from her husband the dethroned king, was now more queen Isabel than ever before. Thus the degradation of a knight, as some have informed me, extendeth not to his wife, who by the courtesy of England, if once, is ever a lady.

He is rejected by his own wife.

19. Edward, late king, with many letters solicited to be admitted into the queen's company. All in vain, she found embraces at a less distance dearer unto her, preferring the society of a lord, who in effect had deposed a king, before a king, who had deposed himself: she made many excuses of sickness and indisposition to enjoy him. So easily can that sex make plausible pretences, that they *cannot* what they *will not* do.

And cruelly murdered.

20. Roger Mortimer, whose lust and revenge was equally unsatiable, could not be quiet whilst king Edward was alive; he feared king Edward might play an after-game of affection in his subjects: in order therefore to his death, he is removed from Kenilworth (where the earl of Leicester his keeper

was suspected too sympathising with his sorrow) unto Berkley castle, where he was barbarously butchered, being struck into the postern of his body with a hot spit, as it is generally reported[w]. A.D. 1326. 19 Edw. II.

21. Nothing now remaineth in this king's reign, save to take notice how the clergy (understand such who were active, for neuters shall pass for none) stand affected in this great state-difference. I find not enough to call a number of the bishops cordial to the king. For besides Walter Stapleton, bishop of Exeter, of whom before, only John Stratford, bishop of Winchester, heartily adhered unto him, and yet this Stratford was employed on a message from the parliament to the king at Kenilworth to persuade him to resign the crown, though having no other design than the king's safety therein. He hoped that in this tempest the casting out of the lading would save the hulk of the ship, and the surrendering of the sceptre secure the king's person. A brace of loyal subjects.

22. With John Stratford let me couple Robert de Baldock (though no bishop, a bishop's mate) as a priest and chancellor of England[x]. This man, unable to assist, resolved to attend the king, and was taken with him in Wales. Hence was he brought up to London, and committed to Adam Tarleton, bishop of Hereford. Here the shadow of Tarleton's mitre (if pleased to put forth his power) might have secured this his guest-prisoner from any danger, whereas on the contrary, it is more than suspicious And a loyal priest-chancellor.

[w] [Yet Avesbury represents his submission as a voluntary deed, and seems to have thought his death was natural. According to the same writer he was buried at the abbey of Gloucester, p. 6. See below, p. 280.]

[x] [De la More, p. 600. In which commission he was joined by Adam Tarleton, bishop of Hereford, of whom see afterwards.]

A.D. 1326. 19 Edw. II. that he gave a signal to the tumultuous people to seize his person. For he was dragged to Newgate, and there payed his life for his loyalty; yet was never heard to complain of the dearness of his pennyworth. If any violence was secretly offered unto his person, he might endure it the more patiently, having read, *that the disciple is not above his master, nor the servant better than his lord*[y]. This Baldock was a good justicer, nor charged in our chronicles with any misdemeanour, save faithfulness to an unfortunate master, and his memory will traverse his innocence, as confessing the fact, but denying any fault therein[z].

Archbishop Reynolds unthankful to the king.

23. But we have more than a good number of such bishops, which ungratefully sided with the queen against her husband, and their sovereign. Walter Reynolds archbishop of Canterbury leads their van, preferred to that see at the king's great importunity, and by the pope his *power of provision*. On the same token that, a *far better man*, Thomas Cobham by name, dean of Salisbury, (so learned and pious a person that he was generally called the good clergyman,) legally elected by the commons, was put by by the pope to make room for this Reynolds. He afterwards complied with the queen, his new mis-

y Matt. x. 24.

z [He, as well as Walter Stapleton, was murdered by the fury of the London mob, ever the foremost in deeds of lawlessness and cruelty. When he had been brought to London by the influence of Tarleton, the Londoners laying violent hands upon him, not without the connivance of the bishop of Hereford, thrust him into Newgate, desiring that he might be drawn and quartered as a traitor. But when after many examinations they could find no spot of treason in him, nor fix any crime upon him, disappointed of their vengeance, they handled him so brutally, that he died from the effects of his ill-treatment early in the spring.]

tress, against his old master, active to perform his desires. This some seek in vain to excuse, by pleasing her imperious spirit, and this archbishop's fearfulness, alleging that cowardliness is rather a defect in nature than default in morality. A. D. 1326. 19 Edw. II.

24. A word by the way of the nature of the pope's provisions, (lately mentioned,) which now began to be a general grievance of our nation. When any bishopric, abbot's place, dignity, or good living (*aquila non capit muscas*) was like to be void, the pope, by a profitable prolepsis to himself, predisposed such places to such successors as he pleased. By this device he defeated (when so pleased) the legal election of all convents, and rightful presentation of all patrons. He took up churches before they fell, yea, before they ever stumbled: I mean, whilst as yet no suspicion of sickness, in incumbents younger and healthier than his holiness himself. Yea, sometimes no act of provision was entered *in scriptis* in the court, only the pope was pleased to say by word of mouth (and who durst confute him?) he had done it. So that incumbents to livings, who otherwise had a rightful title from their patrons, were, to purchase their peace, glad to buy of the pope's provisions. Yea, his holiness sold them aforehand to several persons, so that not he who gave the first, but the most money, carried away the preferment. The nature of the pope's provisions.

25. Next we take notice of Henry Burwash[a], bishop of Lincoln, lately restored to the favour of king Edward, and by him lately esteemed. Yet no Burwash bishop of Lincoln bad.

[a] [In Rymer the name is spelt Burghershe. See a further account of him in De la More, p. 497. Godwin de Præs. Ang. p. 294.]

A.D. 1326. 1 Edw. II. sooner did the queen appear in the field with an army against him, but this bishop was the first and forwardest who publicly repaired unto her. This Burwash was he, who by mere might, against all right and reason, took in the land of many poor people, (without making also the least reparation,) therewith to complete his park at Tinghurst. These wronged persons, though seeing their own bread, beef, and mutton turned into the bishop's venison, durst not contest with him who was chancellor of England, though neither law nor equity in this his action; only they loaded him with curses and execrations. This mindeth me of a modern accident, when, some twenty years since, a knight went about injuriously to inclose the commons of a town, and demanded of his bailiff what the railing in of the same would amount to; to whom his servant answered, "that if he would take in the commons, the "country would find him railings," as here they did this injurious bishop. Otherwise let me say, that inclosures made without oppression are a grand enriching both to private persons and to the commonwealth.

Smile or frown. 26. Here let the reader smile or frown, I am resolved to write what I find recorded in a grave author, deriving it no doubt from good intelligence[b]. This bishop Burwash is said after his death to have appeared to one of his former familiar friends, apparelled

Like a forester all in green-a.

With his bow and quiver of arrows, and his bugle

[b] Godwin de Præs. Ang. p. 294.

horn hanging by his side: to him he complained that for the injuries done by him to the poor whilst living, he was now condemned to this penance, to be the park-keeper of that place, which he so wrongfully had enclosed. He therefore desired him to repair to the canons of Lincoln, and in his name to request them that they would take order, that all hedges being cut down, and ditches filled up, all might be reduced to their property, and the poor men be restored to their inheritance. It is added moreover, that one W. Bacheler was employed by the canons aforesaid to see the premises performed, which was done accordingly. A D. 1326. 19 Edw. II.

27. This pretended apparition seems inconsistent with the nature of purgatory, as usually by papists represented to people. Surely the smoke thereof would have sooted his green suit, and the penance seems so slight and light for the offence, as having so much liberty and pleasure in a place of command. Some poets would have fancied him rather conceived himself turned Acteon-like, into a deer, to be daily hunted by his own hound, guilt of conscience, until he made restitution. But it seems there be degrees in purgatory, and the bishop not in the prison itself, but only within the rules thereof, privileged to go abroad, whether on his parole or with his keeper, uncertain, till he could procure suffrages for his plenary relaxation. A grave foolery.

28. Adam Tarleton, bishop of Hereford, is the last we will insist on, born in that city, where afterward he became bishop, yet not honoured, but hated, and feared in the place of his nativity[c]. He was the A devil preaching.

[c] [Th. de la More, p. 599.]

A. D. 1326. 19 Edw. II. grand engineer and contriver of all mischief against the king. Witness the sermon preached by him at Oxford before the queen, (then in hostile pursuit after her husband,) taking for this text the words of the sick son of the Shunamite, *My head, my head*[d]. Here his wit and malice endeavoured to reap what God's Spirit did never intentionally sow, and urged that a bad king (the distempered head of a state) is past physic or chirurgery to be cured by receipts or plasters, but the only way is to cut it off from the body.

And as bad writing. 29. His writing was worse than his preaching. For when such agents, set to keep king Edward in Berkeley castle, were by secret order from Roger Mortimer commanded to kill him, they by letters

[d] [The account of the preaching of those prelates who sided with the queen upon this occasion, as detailed in the Chronicle of Lanercost, is too curious to be left altogether unnoticed, particularly as it serves to correct two or three errors of Fuller, and to supply a blank in the scanty information furnished us by the generality of the chroniclers upon this subject. According to this Chronicle, the bishop of Hereford preached upon the feast of St. Hilary, (Jan. 13, 1327,) taking for his text this passage from Ecclesiasticus: "Rex in-"sipiens perdit populum "suum"——he enlarged much upon the follies of the king, and the evils which had happened to this kingdom from his mismanagement. At the conclusion of his discourse the people exclaimed with one voice; *We will not have this king to reign over us.* On the following day John Stratford, bishop of Winchester preached, whose text was taken from 2 Kings iv. 19, "Caput meum "doleo," *My head, my head,*— indicating that the head of the kingdom was sick and unsound. He was succeeded upon the third day by the archbishop of Canterbury, Walter Reynolds, who took for his text, "Vox "populi vox Dei,"—— declaring at the end of his discourse to all his audience, that by the consent of the nobles and commonalty of the realm, the king had been deposed from his former dignity, and that by the unanimous consent of all his son Edward should succeed him. Chron. de Lanercost, an. 1326.]

addressed themselves for advice to this bishop, then not far off at Hereford, craving his counsel what they should do in so difficult and dangerous a matter. He returned unto them a riddling answer, altogether unpointed, which carried in it life and death, yea, life or death, as variously construed, resolved to be guided and governed wholly by his direction, not to dispute, but do what from him was recommended unto them, as knowing him able both in conscience and policy to advise them. A.D. 1326. 19 Edw. II.

Life and Death.

To kill king Edward you need not to fear it is good. A strange apparition.

Life.	Death.
To kill king Edward you need not, to fear it is good.	To kill king Edward you need not to fear, it is good[e].

30. This Adam Tarleton was afterwards accused of treason in the beginning of the reign of king Edward the Third, and arraigned by the king's officers, when in the presence of the king he thus boldly uttered himself; Arraigned for treason, he escapes the first time.

"My lord the king, with all due respect unto "your majesty, I, Adam, an humble minister and "member of the church of God, and a consecrated "bishop, though unworthy, neither can, nor ought to "answer unto so hard questions, without the connivance and consent of my lord archbishop of Canterbury, my immediate judge under the pope, and "without the consent of other bishops who are my "peers."

Three archbishops were there present in the

[e] ["Edwardum occidere nolite timere bonum est." Th. de More, p. 602.]

A.D. 1326. 19 Edw. II. place, Canterbury, York, and Dublin, by whose intercession Tarleton escaped at that time[e].

Arraigned again, and protected by the clergy.

31. Not long after he was arraigned again at the king's bench, the news whereof so startled the clergy, that the foresaid archbishops erected their standards, I mean, set up their crosses, and with ten bishops more, attended with a numerous train of well-weaponed servants, advanced to the place of judicature. The king's officers frighted at the sight fled away, leaving Tarleton the prisoner alone at the bar; whom the archbishops took home into their own custody, denouncing a curse on all such who should presume to lay violent hands upon him.

Cast the third time by a lay-jury and proscribed.

32. The king offended hereat, caused a jury of laymen to be empannelled, and to inquire according to form of law into the actions of the bishop of Hereford. This was a leading case, and the first time that ever laymen passed their verdict on a clergyman. These jurors found the bishop guilty, whereupon the king presently seized on his temporals, he proscribed the bishop, and despoiled him of all his movables. However, afterwards he came off, and was reconciled to the king, and by the pope made bishop of Winchester, where he died, a thorough old man, and blinded with age, many envying so quiet a death to one who living had been so turbulent a person. But these things happened many years after.

[e] [The archbishops of Canterbury and Dublin had both taken part against Edward II. Tho. de la More, p. 598.]

SECT.

TO

MASTER THOMAS WILLIAMS[a],

AND

MASTER WILLIAM VANBRUG[b],

OF LONDON, MERCHANTS.

Astronomers affirm that some planets, Saturn, Jupiter, &c., are by many degrees greater than the moon itself, and this they can easily evidence by demonstration. However, the moon is bigger, and shews brighter to men's eyes, because of the vicinity thereof, whilst other stars are dimmed and diminished by their distance.

[a] [Arms. Argent, a chevron between three cocks gules, on a chief sable, three spear heads argent, embrued gules. This is the coat of Williams of Gwernevet, an ancient Welsh family, of which this Thomas Williams was probably a descendant.]

[b] [This William Vanbrugh or Vanburgh was the second but eldest surviving son of Giles Vanburgh, a wealthy merchant of Ghent, who fled from that city to escape the persecution of Alva, came to London, and settled in the parish of St. Stephens Walbroke, where he, as well as several of his descendants, lies buried in a family vault built by him for that purpose. His son and successor William had a brother Giles Vanburgh, father of the celebrated sir John Vanburgh, architect and

He is not the happiest man who has the highest friends, too remote to assist him, whilst others lesser might be nearer at his need. My own experience can avouch the truth thereof, in relation to your courtesies bestowed upon me.

A.D. 1327. 1 Edw. III.

OON after his death king Edward was much lamented by those of whom in his lifetime he was never beloved[b]. Whether this proceeded from the mere mutability of men's minds, (weary to loiter long in the lazy posture of the same affection,) or whether it proceeded from the pride of Mortimer, whose insolence grew intolerable; or whether it was because his punishment was generally apprehended to be too heavy for his fault: so that deposition without death, or (at the worst) death without such unhuman cruelty had been sufficient.

King Edward the Second half-sainted.

One of our English poet historians acquainteth us with a passage, which to my knowledge appeareth not in other authors.

> At Glouecester entombed fayre, and buried
> Where some say God shewed for him great grace
> Sith that tyme, with miracles laudefied

Clarencieux king at arms. His uncle William, to whom, in conjunction with various others, Fuller has also inscribed his "Pisgah Sight," bore as his paternal coat of arms, "Gules, "on a fess or three barrulets "vert; in chief a demi-lion "argent," which was subsequently confirmed to his nephew sir John by Henry St. George, garter. It will be seen that in the present woodcut, as well as in that prefixed to the work above-named, Fuller has given this coat, with a slight deviation from correctness. Mr. William Vanbrugh married Dorothy, daughter of sir Dudley Carleton, and died at a very advanced age in 1704. He lies buried in Walbroke church.]

[b] Exstinctus amabitur idem." [Hor. Ep. I. l. ii. 14.]

Ofte tymes, in diverse many case
As is written there, in that same place.
For which king Rychard, called the Second
To translate him was purposed whole and sound[c].

A. D. 1327. 1 Edw. III.

It is much that one but a small saint whilst alive should be so great a one when dead, as to be miraculously illustrious. But every man may believe his proportion.

2. Indeed great was the conformity betwixt this king Edward and that king Richard, both being *secundi*, the second of their name: but not *secundi*, happy in their success. And had king Richard the Second known aforehand what casualty did attend him, no wonder if he secretly sympathized with his condition. Both sons of valiant and beloved fathers, both of proper and amiable persons. Both debauched by the ill counsel of their dissolute companions. Both deposed from their crowns. Both murdered whilst prisoners in a clandestine, and (as some report) self-same way of cruelty.

A pair of kings well matched.

3. Ingenuous people are very loath to believe king Edward the Third accessary to his father's death, otherwise than by accepting the crown which he should have refused, and antedating his own sovereignty. Which may be excused by his tender years, thirteen as some, fifteen as others compute them[d]. Nor is it a weak argument of his innocence with impartial people, because he reigned above fifty years, and lived to be a thorough old man. An happiness promised by God to such who are obedient

King Edward not active in his father's deposing.

[c] Sir John Harding in the life of king Edward the Second. [chap. 177. ed. 1543.]

[d] [Thirteen, according to Avesbury, Hist. Edwardi, III. p. 5; or fourteen, if it be computed from his father's death. ib. p. 6.]

A.D. 1327. 1 Edw. III.

to their parents. Besides, it is considerable, that this king having a numerous issue of active children of both sexes, none visibly appear a cross unto him, for any notorious undutifulness.

His admirable success in his wars.

4. The former part of this king's reign affords but little church history, as totally taken up with his achievements in Scotland and France, where his success by sea and land was above belief, and even to admiration. He conquered both before his face and behind his back. Whence he came and whither he went. North and south, the one in his person, the other by his substitutes in his absence. Insomuch that he got more than he knew what to do with, exhausting the land to man the cities which he had gained. Herein he stands without a parallel, that he had both the kings he fought against, viz. John de Valois of France, and David the king of Scotland, his prisoners at one time, not taken by any cowardly surprise, but by fair fight in open field.

And humility.

5. It soundeth much to the commendation of his modesty and moderation, that intending to found an order of knighthood at his castle of Windsor[e], where he had these two royal prisoners, in the institution thereof he neither had any insolent relation to his own conquest, nor opprobrious reflection on his enemies' captivity, but began the innocent order of the garter, unreferring to any of his former achievements. But more hereof in due time.

England hitherto ignorant in curious clothing.

6. The king and state began now to grow sensible of the great gain the Netherlands got by our English wool, in memory whereof the duke of Burgundy not long after instituted the order of the golden fleece,

[e] Others say in London town.

wherein indeed the fleece was ours, the golden theirs, so vast their emolument by the trade of clothing. Our king therefore resolved if possible to reduce the trade to his own country, who as yet were ignorant of that art, as knowing no more what to do with their wool than the sheep that wear it, as to any artificial and curious drapery, their best clothes then being no better than friezes, such their coarseness for want of skill in their making. But soon after followed a great alteration, and we shall enlarge ourselves in the manner thereof[f]. A.D. 1337. 11 Ed. III.

7. This intercourse now being great betwixt the English and the Netherlands, (increased of late since king Edward married the daughter of the earl of Hainault,) unsuspected emissaries were employed by our king into those countries, who wrought themselves into familiarity with such Dutchmen as were absolute masters of their trade, but not masters of themselves, as either journeymen or apprentices. These bemoaned the slavishness of these poor servants, whom their masters used rather like heathens than Christians, yea rather like horses than men. Early up, and late in bed, and all day hard work, and harder fare, (a few herrings and mouldy cheese,) and all to enrich the churls their masters, without any profit unto themselves. The king's agents tempt the Dutch apprentices

8. But oh how happy should they be if they would but come over into England, bringing their mystery with them, which would provide their wel- To come over into England.

[f] [The first staple of wool in England was held at Westminster in 1353, according to Avesbury, Hist. Edw. III. p. 194. The same writer also observes, that in the year 1355 a tax was granted to the king of fifty shillings upon every sack of wool, and that the yearly export was reckoned at a hundred thousand sacks, p. 210.]

A.D. 1337. 11 Ed. III.

come in all places! Here they should feed on fat beef and mutton, till nothing but their fulness should stint their stomachs: yea they should feed on the labours of their own hands, enjoying a proportionable profit of their pains to themselves, their beds should be good, and their bed-fellows better, seeing the richest yeomen in England would not disdain to marry their daughters unto them, and such the English beauties, that the most envious foreigners could not but commend them.

And obtain their desire.

9. Liberty is a lesson quickly conned by heart, men having a principle within themselves to prompt them in case they forget it. Persuaded with the premises, many Dutch servants leave their masters and make over for England. Their departure thence (being picked here and there) made no sensible vacuity, but their meeting here altogether amounted to a considerable fulness. With themselves they brought over their trade and their tools, namely, such which could not, as yet, be so conveniently made in England.

Their welcome reception.

10. Happy the yeoman's house into which one of these Dutchmen did enter, bringing industry and wealth along with them. Such who came in strangers within their doors, soon after went out bridegrooms, and returned son-in-laws, having married the daughters of their landlords who first entertained them. Yea, those yeomen in whose houses they harboured soon proceeded gentlemen, gaining great estates to themselves, arms and worship to their estates.

The king politicly disperseth the Dutch.

11. The king having gotten this treasury of foreigners, thought not fit to continue them all in one place, lest on discontent they might embrace a general resolution to return, but bestowed them

through all the parts of the land, that clothing thereby might be the better dispersed. Here I say nothing of the colony of old Dutch, who frighted out of their own country with an inundation, about the reign of king Henry the First, (possibly before that nation had attained the cunning of cloth-making,) were seated only in Pembrokeshire. This new generation of Dutch was now sprinkled every where, so that England (in relation I mean to her own counties) may bespeak these inmates in the language of the poet, A. D. 1337. 11 Ed. III.

Quæ regio in terris vestri non plena laboris?

Though generally (where left to their own choice) they preferred a maritime habitation.

East.	*West.*	*North.*	*South.*
1. Norfolk, Norwich fustians.	1. Devonshire, kersey.	1. Westmoreland, Kendal cloth.	1. Somersetshire, Taunton serges.
2. Suffolk, Sudbury bayes.	2. Gloucestershire, cloth.	2. Lancashire, Manchester cotton.	2. Hampshire, cloth.
3. Essex, Colchester sayes and serges.	3. Worcestershire, cloth.	3. Yorkshire, Halifax cloths.	3. Berkshire, cloth.
4. Kent, Kentish broadcloths.	4. Wales, Welsh friezes.	4.	4. Sussex, cloth.

I am informed that a prime Dutch cloth maker in Gloucestershire had the surname of *Web* given him by king Edward there: a family still famous for their manufacture. Observe we here, that mid-England, Northamptonshire, Lincolnshire, and Cambridge, having most of wool, have least of clothing therein.

12. Here the Dutchmen found fullers' earth, a precious treasure, whereof England hath (if not more) better than all Christendom besides: a great Fullers' earth a precious commodity.

A.D. 1337. 11 Ed. III.

commodity of the quorum to the making of good cloth, so that nature may seem to point out our land for the staple of drapery, if the idleness of her inhabitants be not the only hinderance thereof. This fullers' earth is clean contrary to our Jesuits, who are needless drugs, yet still staying here though daily commanded to depart, whilst fullers' earth, a precious ware, is daily scoured hence, though by law forbidden to be transported.

Woollen cloth the English wealth.

13. And now was the English wool improved to the highest profit, passing through so many hands, every one having a fleece of the fleece, sorters, combers, carders, spinsters, weavers, fullers, dyers, pressers, packers; and these manufactures have been heightened to a higher perfection since the cruelty of the duke d'Alva drove over more Dutch into England. But enough of this subject, which let none condemn for a deviation from church history; first, because it would not grieve one to go a little out of the way, if the way be good, as this digression is for the credit and profit of our country. Secondly, it reductively belongeth to the church history, seeing many poor people both young and old, formerly charging the parishes, (as appeared by the accounts of the church officers,) were hereby enabled to maintain themselves.

The pope's Italian usurers turn merchants.

14. The extortion of the pope being now somewhat abated in England, the Caursines or Lombards, formerly the money merchants of his holiness, and the grand usurers of England, did not drive so full a trade as before. Whereupon they betake themselves to other merchandize, and began to store England with foreign commodities, but at unreason-

able rates, whilst England itself had as yet but little and bad shipping, and those less employed[g]. A.D. 1336. 18 Ed. III.

15. But now king Edward, to prevent the engrossing of trade into the hand of foreigners, and to restore the same to his native subjects, took order that these aliens should no longer prey on the radical moisture of this land, but began to cherish navigation in his own subjects, and gave a check to such commodities which foreigners did import as in ancient poems is largely described, whereof so much as concerneth our purpose: But at last are prohibited by the king.

> He made a statute for Lombards in this land,
> That they should in no wise take on hand
> Here to inhabit, here to charge and discharge,
> But forty days no more time had they large,
> This good king by wit of such appriefe,
> Kept his merchants and the sea from mischief[h].

But this was a work of time to perform, and took not full effect to the end of this king's reign; yea the Lombards were not totally routed till the reign of king Richard the Third.

16. About this time the clergy were very bountiful in contributing to the king's necessities, in proportion to their benefices. Hereupon a survey was exactly taken of all their glebe land, and the same (fairly engrossed in parchment) was returned into the exchequer, where it remaineth at this day, and is the most useful record for clergymen (and also for impropriators as under their claim) to recover their A survey made of the clergy's glebe land.

[g] [Of the complaints against the Lombards, and the ordinances made in consequence of such complaints, see the Rolls of Parliament, II. p. 335. sq. and 353. sq.]

[h] Liber de custodia Maris, extant in Hacluit's Voyages, book 1. p. 191. [ed. 1599.]

A.D. 1336. 11 Ed. III.

right[i]. Many a straggling acre, wandering out of the way, had long since by sacrilegious guides been seduced into the possession of false owners, had not this record directed them at last to their true proprietary.

Partly useless by ill engrossing.

17. The worst is, whilst some dioceses in this terrier were exactly done, and remain fairly legible at this day, others were so slightly slubbered over, that (though kept with equal carefulness) they are useless in effect, as not to be read. Thus I was informed from a clerk in that office lately deceased[k], who, when living, was older and as able as any therein. And thus manuscripts, (like those men who wrote them,) though starting with their equals, hold not all out to the same length, their *humidum radicale*, their ink I mean, not lasting alike in all originals.

Clergymen engross all offices.

18. It was now generally complained of as a grand grievance, that the clergy engrossed all places of judicature in the land. Nothing was left to laymen, but either military commands, as general, admiral, &c., or such judges' places as concerned only the very letter of the common law: and those also scarcely reserved to the students thereof. As for embassies into foreign parts, noblemen were employed therein, when expense, not experience, was required thereunto, and ceremony the substance of the service: otherwise when any difficulty in civil law, then clergymen were ever entertained. The lord chancellor was ever a bishop, (as if against equity to employ any other therein,) yea, that court generally appeared as a synod of divines, where the

[i] Called the Nomæ Rolls, which have been since published by the Record Commission.]

[k] Wm. Hillary.

clerks were clerks, as generally in orders. The same was also true of the lord treasurer and barons of the exchequer. A.D. 1336. 11 Ed. III.

19. Some imputed this to the pragmaticalness of the clergy, active to insinuate themselves into all employment, how improper soever to their profession[1]. Others ascribed it to the king's necessity; the war engrossing the main of his men of merit; so that he was necessitated to make use of clergymen. Others attributed it to the king's election, (no way weak in head or hand, plotting or performing,) finding such the fittest to serve him; who being single persons, and having no design to raise a family, were as knowing as any in the mysteries of money[m], and safest to be entrusted therein. But more hereof hereafter. Several opinions of the causes thereof.

20. Robert Eglesfield, bachelor of divinity, chaplain to queen Philippa, wife to king Edward the Third, founded a college on his own ground, by the name of Queen's college, (commending the patronage thereof to his lady the queen, and to the queens of England successively,) which he endowed with lands and revenues for the maintenance of a provost and twelve fellows, which were to be augmented as the revenues increased. The founding of Queen's college in Oxford by R. Eglesfield.

21. Now though this was called Queen's, from their honorary patronesses, it may be styled Prince's college, from those pair of students therein. Edward the Black prince, who presently after this foundation A pair of princes bred therein.

[1] [This is not strictly correct. See Heylin's Examen, p. 60. And doubtless as the canon and civil law were studied exclusively by the clergy, they were the only persons suited for holding the chancellor's office.]

[m] Matters of weight.

A.D. 1340. 15 Ed. III. had his education therein, and Henry the Fifth, as yet prince of Wales, under Henry Beaufort, chancellor of the university, and his uncle; his chamber was over the college gate, where his picture at this day remaineth in glass, with this inscription under it:

In perpetuam rei memoriam.
Imperator Britanniæ,
Triumphator Galliæ,
Hostium victor, et sui,
Henricus quintus hujus collegii,
Et cubiculi (minuti satis)
Olim magnus incola[n].

Which lodging hath for this sixteen years belonged to my worthy friend Mr. Thomas Barlow[o], that most able and judicious philosopher and divine, being a library in himself, and keeper of another, that of sir Tho. Bodley's erection, out of which he hath courteously communicated to me some rarities of this university.

Queens nursing mothers to this college.

22. Now according to the care and desire of the founder. The queens of England have ever been nursing mothers to this foundation[p]. O what advantage they have when lying in the bosoms of their royal consorts, by whom they cannot be denied what

[n] Rossus Warwicensis MS. [Hist. Regum Angliæ,] in Henrico quinto, [p. 207, according to the edition since printed by Hearne, 1716. This inscription is now in the library.]

[o] [Afterwards bishop of Lincoln in 1675, (Godwin De Præsul. p. 304), and provost of Queen's college, Oxon. In the archives of this library many of his MSS. are still preserved; and among the rest, a copy of his letter, in his own hand, to Fuller, containing observations and information respecting the university, chiefly inserted in this History.]

[p] ["Reginæ erunt nutrices "tuæ," the motto of the college.]

is equal, and of whom they will not desire what is otherwise. Thus queen Philippa obtained of her husband, king Edward the Third, the hospital of St. Julian's in Southampton, commonly called God's house. Queen Elizabeth, wife to king Edward the Fourth, procured of him the priory of Sherbourn in Hampshire, and queen Mary by her intercession prevailed with king Charles for the perpetual patronage of certain benefices in the same county. A.D. 1340. 15 Ed. III.

23. Nor let not our virgin queen be forgotten, as in effect refoundress of this from the third year of her reign, being informed that the title of the foundation thereof, with the lands thereunto belonging, were in question, and subject to eviction; by act of parliament conferred a sure estate of the same. Queen Elizabeth's singular bounty.

24. I meet in the records of the tower rolls with a passage concerning this college, and though I do not perfectly understand, I will exemplify it. This college parted between two archbishops.

"And a little after, upon divers matters moved "between the said archbishop [q], and the archbishop "of York[r], upon certain privileges pretended by the "said archbishop of York in the college called "Queen-hall in the university of Oxford. The said "archbishop of Canterbury, in presence of the king "and of the lords, promised, that if the said archbishop of York could sufficiently shew any privilege, or specially of record, wherefore the said "archbishop of Canterbury ought not to use his "visitation of the said college, he would then "abstain. Saving to himself always the visitation "of the said scholars abiding in the said college,

[q] Tho. Arundel. [r] Henry Bowet.

1340 d. III "according to the judgment and decrees made and "given by king Richard the Second, and by our "lord king Henry that now is, as in the record "thereof made[s], thereof more plainly is declared[t]."

It seems hereby, so far as I can apprehend, this college was so parted betwixt the two metropolitans, that the dead moiety, viz. the lands and revenues, thereof belonged to the inspection of the archbishop of York, whilst the living half, namely, the scholars, especially in matters concerning their religion, pertained to the visitation of the archbishop of Canterbury.

Provosts.	*Benefactors.*	*Bishops.*	*Learned writers.*
1340. Richard de Rettesford.	Robert Langton.	Henry Beaufort, bishop of Winchester, and cardinal of St. Eusebius.	John Wickliffe[x].
—— [William de Muschampe.]	Thomas Langton.	Christopher Bainbridge, archbishop of York, and cardinal of St. Praxedis.	John de Treviss, of whom hereafter, anno 1397.
1350. John de Hotham.	Edmund Grindal[v].	Henry Robinson, bishop of Carlisle.	This house hath lately been happy in learned lawyers, sir John Banks, sir Ro. Berkley, sir Tho. Tempest, attorney general of Ireland, judge Atkins, courteous to all men of my profession, and myself especially.
—— Henry Whitfield.	Christo. Bainbridge.	Barnabas Potter, bishop of Carlisle[w].	Sir Thomas Overbury.
—— Thomas de Carlisle.	William Fettiplace.		Christopher Potter, in his excellent work of Charity Mistaken.
1404. Roger Whelpdale.	Henry Robinson.		Gerard Langbain[z].
1420. Walter Bell.	Henry Ayrie.		Thomas Barlow.
1426. Rowland Byris.			
[1432. Thomas de Eglesfeld.]			
1442. William Spenser			
[1459. John Peyrson.]			
[1482. Henry Bost.]			
1489. Thomas Langton.			
1495. Christ. Bainbridge.			
1508. Edward Rigge.			
—— John Pantry.			
1534. William Denyse.			
1559. Hugh Hodgeson.			
1561. Thomas Francis.			
1563. Lancelot Shaw.			
1565. Alan Scot.			
1575. Barthol. Bousfield.			
1581. Henry Robinson.			
1599. Henry Airy.			
1616. Barnabas Potter.			
1626. Christopher Potter.			
1645. Gerard Langbain.			

[s] Ex Rot. Parl. 13°. Henrici IV.

[t] See this recorded at large in the next book, sect. II. §. 24—27.

So that at this present are maintained therein, one provost, fourteen fellows, seven scholars, two chaplains, two clerks, and other students about one hundred and sixty. A. D. 1340. 15 Ed. III.

25. In the meantime the pope was not idle, but laid about him for his own profit, knowing king Edward could not attend two things at once. And therefore whilst he was busied about his wars in France, his holiness bestirred him in England, cropping the flowers of the best livings in their bud before they were blown. Yea in a manner he may be said to seeth the kid in the mother's milk. So that before livings were actually void, he provisionally pre-provided incumbents for them, and those generally aliens, and his own countrymen[a]. The pope makes use of the king's absence.

26. Though late, the king got leisure to look on his own land, where he found a strange alteration; for as France lately was made English by his valour, England was now turned Italian by the pope's covetousness. In prevention therefore of future mischief, this statute of provision was made: whereby such forestalling of livings to foreigners was forbidden. A. D. 1343. The statute of provisions reasonably made.

27. Our authors assign another accidental cause of the king's displeasure with the pope, namely, Man's anger worketh God's pleasure.

[v] [He left the chief part of his library to the college.]

[w] [Nineteen bishops are enumerated in Wood as belonging to this college, p. 151.]

[x] Balliol, Merton, and Queen's colleges claim him and all perchance rightly at several times. [Hall has subjoined the following note to his edition of Leland's British Writers, p. 378. "Lubet hac de "re verba T. Barlovii viri in- "finitæ lectionis subjicere: "John Wickliff was communar "of Queens college, after that "probationer of Merton, and "head of Canterbury col- "lege."]

[z] Eminent for his review of the council of Trent.

[a] [See the letter of the commons to the pope against these reservations and provisions of benefices in Avesbury, p. 110.]

A. D. 1343. 18 Ed. III. that when his holiness created twelve cardinals at the request of the king of France, he denied to make one at the desire of this king of England. Surely it was not reasonable in proportion, that his holiness giving the whole dozen to the king of France, might allow the advantage to the king of England. However, betwixt both, this statute was made to the great enriching of the kingdom, and contentment of the subjects therein.

Statutes of provisions not presently obeyed.

28. Yet this law of provisions (as all others) did not at the first making meet with present and perfect obedience. The papal party did struggle for a time, till at last they were patient perforce, finding the king's power predominant. True it is, this grievance did continue, and was complained of, all this, and most of the next king's reign, till the statute of *præmunire* was made, which clinched the nail that now was driven in. So that afterwards the land was cleared from the encumbrance of such provisions.

Papal power in England declines.

29. A good author tells us, *habent imperia suos terminos, huc cum venerint, sistunt, retrocedunt, ruunt.* Empires have their bounds, whither when they come, they stand still, they go back, they fall down. This is true in respect to the papal power in England. It went forward until the statute of mortmain was made in the reign of king Edward the First. It went backward slowly when this statute of provisions, swiftly when this statute of *præmunire* was made. It fell down when the papacy was abolished in the reign of king Henry the Eighth.

The pope takes wit in his anger.

30. Three years after the statute against the pope's provisions was made, the king presented unto him Thomas Hatfield to be bishop of Durham, one who was the king's secretary, and when this is, all is

said that can be in his commendation, as utterly devoid of all other episcopal qualifications. However, the pope confirmed him without any dispute or delay; and being demanded why he consented to the preferment of so worthless a person, he answered, that *rebus sic stantibus*, if the king of England had presented an ass unto him, he would have confirmed him in the bishopric. Indeed as yet his holiness was in hope, that either the king would revoke the foresaid statute, or else moderate the execution thereof. A.D. 1346. 21 Ed. III.

31. This year authors generally agree (some few making it later, viz. after John king of France was taken prisoner) king Edward instituted the order of the garter, consisting of A.D. 1350. The institution of knights of the garter.

i. One chief guardian or sovereign, being the king of England.

ii. Five and twenty knights, whereof the first set were termed founders, and their successors ever since called fellows or companions of the order.

iii. Fourteen canons resident, being secular priests[b].

iv. Thirteen vicars, or choral priests.

v. Twelve military gentlemen of the meaner sort, decayed in age and estate, commonly called the poor knights of Windsor.

[b] ["There are not fourteen "canons resident in the church "of Windsor, but thirteen "only, with the dean; it "being king Edward's pur- "pose when he founded that "order, consisting of twenty- "six knights, himself being "one, to institute as many "greater or lesser canons, and "as many old soldiers, com- "monly called poor knights, "to be pensioned there: "though in this last the num- "ber was not made up to his "first intention." Heylin in the Appeal, part II. p. 35. See also his Examen, p. 61.]

A.D. 1350. 25 Ed. III.

vi. One prelate of the garter, being always the bishop of Winchester.

vii. One chancellor thereof, being anciently the bishop of Salisbury, (in whose diocese Windsor is,) but lately a lay person. The truly honourable and well-experienced statesman and traveller, sir Thomas Row, if I mistake not, was the last chancellor of the garter[c].

viii. One registrar, being always the dean of Windsor[d].

ix. One usher, who is one of the ushers of the king his chamber, called the black rod.

x. A chief herald, added for the more solemnity by king Henry the Fifth, and called garter. This order the king founded within his castle of Windsor, to the honour of Almighty God, and the blessed Virgin Mary, and of the glorious martyr St. George, and to the exaltation of the holy catholic faith.

The qualification of these knights.

32. Four essentials are requisite in the persons eligible into this order, that they be gentlemen of name and arms, by father's and mother's side, for three descents. Secondly, that he be without spot or foul reproach, understand it not convicted of heresy, or attainted of treason. Thirdly, that he have a competent estate to maintain the dignity of the order. Fourthly, that he never fled in the day

[c] ["Sir James Palmer, one "of the gentlemen ushers of "the privy chamber, succeeded "him in the place of chancel- "lor after his decease, a.1644." The above remarks are from Dr. Heylin. See The Appeal, part II. p. 35. Examen. p. 62.]

[d] [A custom adopted in later times, but not so originally. See Dr. Heylin, as above, who has sharply reviewed and corrected the errors of this passage: having written expressly on this subject in his History of St. George.]

of battle, his sovereign lord or his lieutenant being in the field. A. D. 1350. 25 Ed. III.

33. Their habiliments are either ordinary, as a blue ribbon with the picture of St. George appendant, and the sun in his glory on the left shoulder of their cloak, (added, as some say, by king Charles,) being for their daily wearing; or extraordinary, as their collar of SS., their purple mantle, their gown, kirtle, chaperon, and chiefly their garter. This being made of blue, is with *Hony soit qui male pense*, in golden letters, enchased with precious stones, fastened with a buckle of gold, and worn on the left leg of the fellows of this order. Their habits.

34. They take an oath, that "to their power, "during the time that they are fellows of the order, "they shall defend the honour, quarrel, rights, and "lordships of their sovereign, that they shall endea- "vour to preserve the honour of the order, and, "without fraud or covin, well observe the statutes "thereof." This is taken absolutely by the natives of this kingdom, but by foreigners relatively, and in part with their reference to some former order. Their oath.

35. They oblige themselves, first, to be personally present (without a just cause specified to, and accepted by, the sovereign or his deputy) at Windsor on the festival of St. George. Secondly, that if coming within two miles of that place, (except hindered by some important business,) they repair thither, put on their mantles, (lying constantly liegers there,) proceed to the chapel, and there make their offering. Thirdly, that they be never openly seen without their Georges, which they shall neither engage, alien, sell, nor give away on any necessity whatsoever. Lastly, that they take order their Other rites they are bound to observe.

A.D. 1350. 26 Ed. III. garter at their death be safely and solemnly sent back to the sovereign, to confer the same on one to succeed him in the order.

Order how voided. 36. I have done when I have told that their places may be vacated on three occasions. First, by death, which layeth this (as all other) honour in the dust. Secondly, by deprivation on the person's misdemeanour, or want of the foresaid qualifications. Thirdly, by cession, or surrender; when a foreign prince (entereth into enmity with this crown) is pleased to send his garter back again.

Excess in apparel restrained. 37. Excess in apparel began now to be great in England, which made the state take order to retrench it. Some had a project, that men's clothes might be their signs to shew their birth, degree, or estate, so that the quality of an unknown person might at the first sight be expounded by his apparel. But this was soon let fall as impossible. Statesmen in all ages (notwithstanding their several laws to the contrary) being fain to connive at men's riot in this kind, which maintaineth more poor people than their charity. However, the ensuing passage must not be omitted.

A.D. 1361. 38. "Item, that the clerks which have a degree "in a church, cathedral, collegial, or in schools, and "the king's clerks which have such an estate that "requires fur, do, and use according to the consti- "tution of the same, and all other clerks which "have above two hundred marks rent per annum, "use, and do as knights of the same rent. And "other clerks under that rent use as squires of an "hundred pound rent. And that all those, as well "knights as clerks, which by this ordinance may

"use fur[e] in winter, by the same manner may use it "in summer[f]." A.D. 1368. 43 Ed. III.

39. Pass we now from soft fur to hard steel, I mean, a command from the king for the arming of all clergymen. Clergymen enjoined to take up arms.

40. "And besides this, the king commands and "requires all the prelates there assembled, that in "respect of the great danger and damage which "perhaps might happen to the realm and church of "England, by reason of this war, in case his adver-"sary should enter the kingdom to destroy and sub-"vert the same, that they will put to their aid "in defence of the kingdom, and cause their subjects "to be arrayed, as well themselves, and their "religious men, as parsons, vicars, and other men of "holy church whatsoever, to abate the malice of his "enemies, in case they should enter the kingdom, "which prelates granted to do this in aid and "defence of the realm and holy church. And so the "parliament ended[g]."

Here we see, *in hostes publicos omnis homo miles*, none are dispensed with, to oppose an invading enemy. But where were these foreign foes, France and Scotland, being now both of them ordered into a defensive posture, whose invasion was expected? Possibly these dangers were represented through state-multiplying glasses, to quicken the care, and continue the taxes on the English nation. More scared than hurt.

41. The lords and commons in parliament began now to find themselves much aggrieved, that the clergy engrossed all secular offices, and thereupon A petition against clergymen's employment in secular places.

[e] *Pellure* in the French original.

[f] Rot. 37 Edw. III. [See Rolls of Parliament, II. p. 279.]

[g] Rot. in Tur. Londin. 37 Edw. III.

A.D. 1370. 45 Ed. III. presented the ensuing petition to the king, according to this effect insisting only in the substance thereof.

42. "And because that in this present parliament "it was declared to our lord the king, by all the "earls, barons, and commons of England, that the "government of the kingdom hath been performed "for a long time by the men of holy church, which "are not justifiable[h] in all cases, whereby great "mischiefs and damages have happened in times "past, and more may happen in time to come in "disheriting of the crown, and great prejudice of "the kingdom for divers causes that a man may "declare;—That it will please our said lord the "king, that the laymen of the said kingdom which "are sufficient and able of estate, may be chosen for "this, and that no other person be hereafter made "chancellor, treasurer, clerk of the privy seal, barons "of the exchequer, chamberlains of the exchequer, "comptroller, and all other great officers and "governors of the said kingdom, and that this thing "be now in such manner established in form afore-"said, that by no way it may be defeated, or any "thing done to the contrary in any time to come; "saving always to our lord the king, the election "and removing of such officers, but that always they "be laymen, such as is aboveseid[i]."

The answer (in effect) a denial.

43. To this petition the king returned, "that he "would ordain upon this point as it shall best seem "to him by the advice of his good counsel." He

[h] Justifiables, in the French originals: query, whether not able to do justice, or not to be justified in their employment, as improper for it. In the printed copy of the Rolls the words are: "queux ne sont "are justiciables en tous "cas."

[i] Ex Rot. Parl. in Turr. Lond. in 45 Edw. III. See the Rolls, vol. II. p. 304.]

therefore who considereth the present power of the clergy at the council table, will not wonder if all things remained in their former condition, till the nobility began more openly to favour John Wicliffe his opinions, which the next book, God willing, shall relate. A.D. 1370. 45 Ed. III.

44. We will close this with a catalogue of the archbishops of Canterbury, contemporary with king Edward the Third, and begin with Simon Mepham, made archbishop in the first year of his reign[k], so that the crown and the mitre may seem in some sort to have started together, only here was the odds, the king was a young (yea, scarce a) man, whereas the archbishop was well stricken in years. Hence their difference in holding out, the king surviving to see him buried, and six more (whereof four Simons inclusively[l]) heart-broken as they say with grief. For when John Grandison, bishop of Exeter, (making much noise with his name, but more with his activity,) refused to be visited by him, (the pope siding with the bishop,) Mepham so resented it, that it cost him his life[m]. Simon Mepham archbishop of Canterbury.

[k] [See Parker's Antiq. Britan. p. 325.]

[l] [Simon Mepham, Simon Islippe, Simon Langham, and Simon Sudbury.]

[m] [Oct. 12, 1333. Godwin, p. 106. Parker, ib. p. 330. This was a part of the infamous policy of the see of Rome. By abetting the bishops and abbots in their factious opposition to their metropolitan, this usurping see endeavoured to weaken the influence and character of the episcopal order. It is impossible to behold without indignation the fraudulent conduct of the papal powers in thus sowing disaffection in the very heart of the church for their own political aggrandizement; laying the very foundation of that contempt for episcopacy which was afterwards productive of such fatal consequences. From the time of Edward I. to the Reformation the history of the English archbishops presents little else than a series of the most vexatious and aggravated insults and oppositions offered

A. D. 1370. 15 Ed. III. John Stratford his successor.

45. John Stratford was the second, consecrated first bishop of Winchester on the Lord's day, whereon it was solemnly sung, *Many are the afflictions of the righteous*, whereof he was very apprehensive then, and more afterwards, when his own experience had proved a comment thereon. Yet this might comfort him whilst living, and make others honour his memory, that a good conscience without any great crime generally caused his molestation. For under king Edward the Second he suffered for being too loyal a subject[n], (siding with the king against the queen and her son,) and under king Edward the Third he was molested for being too faithful a patriot, namely, in pitying his poor countrymen's taxations, for which he was accused for correspondency with the French, and complying with the pope, (pope and king of France then blowing in one trumpet,) whereat king Edward was highly incensed.

His last his best days.

46. However, Stratford did but say what thousands thought, viz. that a peace with France was for

them by the bishops of Rome, who were resolved at all hazards to lord it over their brethren.]

[n] [When Edward returned from Tournay at the end of the year 1340, he suddenly entered the Tower of London; and being offended with his chief officers on account of their failing to supply him with money for his wars, he imprisoned some, and deposed others. The temper of the king furnished occasion to the enemies of the archbishop to accuse him, and he was accordingly compelled to take refuge in the priory of Christchurch, Canterbury. The letter which he wrote to the king on this occasion is printed in Avesbury, p. 72, as also the indignant letter of the king to the dean and chapter of St. Paul's against the archbishop and those of his other officers who had conspired to rob him, as he terms it, of his expected glory. Ib. p. 77. See also Parker, ib. p. 331. Stratford died on the vigil of St. Bartholomew in 1348. Godwin, p. 110.]

the profit of England, especially as proffered upon such honourable conditions. This the archbishop was zealous for upon a threefold account: first, of piety, to save the effusion of more Christian blood; secondly, of policy, suspecting success, that the tide might turn, and what was suddenly gotten might be as suddenly lost; thirdly, on charity, sympathising with the sad condition of his fellow-subjects, groaning under the burden of taxes to maintain an unnecessary war: for England sent over her wealth into France to pay their victorious soldiers, and received back again honour in exchange, whereby our nation became exceeding proud and exceeding poor. However, the end (as well as the beginning of the Psalm) was verified of this archbishop, *The Lord delivereth them out of all*, dying in great honour and good esteem with the king; a strong argument of his former innocence.

A. D. 1370. 44 Ed. III.

47. The third was Thomas Bradwardine, whose election was little less than miraculous. For commonly the king refused whom the monks chose: the pope rejected whom the monks and king did elect, whereas all interests met in the choice of Bradwardine. Yea, which was more, the pope as yet not knowing that the monks and the king had preelected him, of his own accord (as by supernatural instinct) appointed Bradwardine for that place, who little thought thereon. Thus *omne tulit punctum*, and no wonder, seeing he mingled his profitable doctrines with a sweet and amiable conversation: indeed he was skilled in school-learning, which one properly calleth *spinosa theologia*[o], and though some

Thomas Bradwardine the third archbishop.

[o] Camden in Eliz.

A.D. 1370. 44 Ed. III. will say, can figs grow on thorns, yet his thorny divinity produced much sweet devotion.

The best archbishop of that see.

48. He was confessor to king Edward the Third, whose miraculous victories in France some impute more to this man's devout prayers, than either to the policy or prowess of the English nation. He died before he was enthronized, few months after his consecration, though now advanced on a more glorious and durable throne in heaven, where he hath received the crown from God, who here defended the *cause of God*[p]. I behold him as the most pious man who from Anselm (not to say Augustine) to Cranmer sat on that seat. And a better St. Thomas (though not sainted by the pope) than one of his predecessors commonly so called[q].

Simon Islip next archbishop.

49. Simon Islip was the fourth, a parsimonious (but no avaricious) man, thrifty whilst living, therefore clandestinely enthronized, and when dead, secretly interred without any solemnity: yet his frugality may be excused, (if not commended herein,) because he reserved his estate for good uses, founding Canterbury college in Oxford. Thus generally bishops, founders of many colleges therein[r], denominated them either from that saint to whom they were dedicated, or from their see, (as Exeter, Canterbury, Durham, Lincoln,) putting thereby a civil obligation on their successors to be (as visitors, so) benefactors thereunto. This Canterbury college is now swallowed up in Christ Church, which is no

[p] He wrote De Causa Dei [contra Pelagium. See above, p. 257.]

[q] [See Parker, ibid. p. 363. He died Aug. 26, 1349, having survived his consecration only five weeks and four days. Godwin, p. 112.]

[r] Excipe Merton college.

single star as other colleges, but a constellation of many put together[s]. A. D. 1370. 44 Ed. III.

50. Simon Langham is the fifth, much meriting by his munificence to Westminster abbey[t]. He was made cardinal of St. Praxedis, and by the pope bishop of Præneste in Italy, with a faculty to hold as many ecclesiastical preferments as he could get. Hereupon he resigned his archbishopric of Canterbury, lived for a time at Avignon in France, and there buried (according to his own directions) in a temporary tomb, in a religious house of his own, till three years after removed to Westminster. William Wittlesey succeeded him[v], famous for freeing the university of Oxford from the jurisdiction of the bishop of Lincoln, formerly the diocesan thereof. As for Simon Sudbury, the last archbishop of Canterbury, in the reign of king Edward the Third, of him, God willing, hereafter. Langham, Wittlesey, and Sudbury.

[s] [Parker, ibid. p. 365. Islip died at Mayfield, April 26, 1366, Godwin, p. 114.]

[t] [His benefactions to Westminster are enumerated in Parker, ib. p. 375.]

[v] [Oct. 11, 1368. Godwin, p. 117. Parker, ibid. p. 379.]

THE

CHURCH HISTORY

OF

BRITAIN.

THE FOURTH BOOK,

FROM THE FIRST APPEARING OF JOHN WICKLIFFE UNTIL THE REIGN OF KING HENRY THE EIGHTH.

TO

THE RIGHT HONOURABLE

JAMES HAY,

EARL OF CARLISLE, VISCOUNT DONCASTER, BARON OF SAULEY AND WALTHAM.[a]

WE read in Holy Writ, when the Israelites fled before the Philistines, who spoiled a field of barley, how Eleazar the son of Dodo made them pay dear for their trespass, so stopping them in the full speed of

[a] [" The right honourable " James Hay, earl of Carlisle, " son of James Hay, the first " earl of that name, created " Sept. 13, 1622: a prodigal " of his estate to serve his " sovereign and his friends in " the time of war, as his father " was to serve his in the " arts of peace; as feastings, " masques, &c.

" Royal was king James his " munificence towards his fa- " ther, and noble his towards " king James his son. One " of his ancestors saved Scot- " land against an army of " Danes, with a yoke in his " hand; his father saved king " James from the Gowries with " a knife in his hand; and he " (the son) would have de- " fended king Charles I. with " a sword in his hand, first as " a volunteer at Newbury, " 1643, where he was wounded, " and afterwards as colonel, " till he yielded himself, at the " same time with his sovereign, " paying 800*l.* composition, and " giving what he could save " from his enemies in largesses " to his friends, especially the " learned clergy, whose prayers " and good converse he reck- " oned much upon, as they did " upon his charities, which " completed his kindness with

their conquest that he saved Israel by a great deliverance [b].

Inspired truths need not the security of human history to pass them into our belief. However, other writers afford examples how one man, in a manner, hath routed a whole army, and turned the flight of his party into an unexpected victory.

Thus the Chronicles [c] inform us, that when the Scots fled from the Danes, at a place called Long Carty, one Hay, an husbandman, then at plough with his two sons, snatching the yoke into his hand, (it is the man makes the weapons, not the weapons the man,) not only stopped the enemies' further pursuit, but beat them back with a great overthrow; whose valour king Keneth the Second (seven hundred years since) rewarded with as much ground of the best in Scotland as a falcon flew over at one flight before it did take a stand. And the memory hereof is continued in your arms, who doth carry a chronicle in your coat, crest, and supporters.

Let none quarrel at your supporters, being two men holding each a yoke in his hand, seeing they

" bounty, as that adorned his " bounty with courtesy; cour- " tesy not affected, but natu- " rally made up of humility " that secured him from envy, " and a civility that kept him " in esteem; he being happy " in an expression that was " high and not formal, and a " language that was courtly " and yet real." Lloyd's Memoirs, p. 676.

To this nobleman Fuller dedicated his History of Waltham Abbey.]

[b] 1 Chron. xi. 13.

[c] Buchanan, Hist. Scot. p. 55.

are the supporters general of all mankind, Solomon (being himself a king) observing that the king himself is maintained by husbandry [d]. Besides, those yokes procured the Scotch liberty, who otherwise had been miserably enslaved to the Danish insolence. And if the bearing of arms were so ancient amongst the Jews as the rabbies will have it, it is proportionably probable that the posterity of Shamgar gave the goad [e] for the hereditary ensigns of their family.

Nor must your motto be forgotten, *Conscientia mille scuta*, "A good conscience is a thousand shields," and every one of proof against the greatest peril. May your honour therefore be careful to preserve it, seeing lose the shield and lose the field, so great the concernment thereof.

No family in Christendom hath been ennobled on a more honourable occasion [f], hath flourished for longer continuance, or been preserved in a more miraculous manner.

It is reported of the Roman Fabii [g], no less numerous than valiant, (three hundred and sixty patricians flourishing of them at once,) they were all slain in one battle, one only excepted, who, being under age to bear arms, was preserved alive.

A greater fatality befell your family, in a fight

[d] Eccles. v. 9.
[e] Judg. iii. 31.
[f] [His father was ennobled for saving king James from the Gowries.]
[g] Titus Livius, lib. 2.

at Duplin Castle, in the reign of our Edward the First, when the whole household of Hayes [h] was finally extirpated, and not one of them visible in the whole world. Only it happened that the chief of them left his wife at home big with child, from whom your name is recruited, all springing as it were from a dead root, and thence deriving a posthume pedigree.

This puts me in hopes that God, who so strangely preserved your name in Scotland, will not suffer it so soon to be extinct in England, but give you posterity by your noble Consort when it shall seem seasonable to his own will and pleasure [i].

All that I will add is this, that seeing your honour beareth three smaller shields or in-escutcheons in your arms, the shadow of the least of them, with its favourable reflection, is sufficient effectually to protect and defend the weak endeavours of

Your most obliged

Servant and Chaplain,

THOMAS FULLER.

[h] Camd. Brit. in Scot. Strathern, pag. 705.

[i] [He died without issue, in 1660.]

THE

CHURCH HISTORY

OF

BRITAIN.

BOOK IV.

THE Romanists observe, that several advantages concurred to the speedy propagation of Wickliffe's opinions; as namely, the decrepit age of Edward the Third, and infancy of Richard his successor, being but a child, as his grandfather was twice a child, so that the reins of authority were let loose; secondly, the attractive nature of novelty, drawing followers unto it; thirdly, the enmity which John of Gaunt bare unto the clergy, which made him out of opposition to favour the doctrine and person of Wickliffe; lastly, the envy which the pope had contracted by his exactions and collations of ecclesiastical benefices [a]. We deny not these helps

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Several causes of the speedy spreading of Wickliffe's doctrine.

[a] Harpsfield in his Historia Wickliffiana, cap. 1. [published at the end of his Historia Ang. Ecclesiastica. Whatever Harpsfield has written respecting Wickliffe ought to be received with caution, since his account was compiled chiefly from Thomas Waldensis, or Thomas Netter of Walden, in Essex, a Carmelite, the strenuous opponent of Wickliffe, and who was sent to the council of Constance, where Wickliffe's errors were

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were instrumentally active in their several degrees, but must attribute the main to Divine Providence blessing the gospel, and to the nature of truth itself, which, though for a time violently suppressed, will seasonably make its own free and clear passage into the world.

Wickliffe guilty of many errors.

2. And here we will acquaint the reader, that being to write the history of Wickliffe, I intend neither to deny, dissemble, defend, or excuse any of his faults. *We have this treasure* (saith the apostle) *in earthen vessels*[b]; and he that shall endeavour to prove a pitcher of clay to be a pot of gold, will take great pains to small purpose. Yea, should I be over-officious to retain myself to plead for Wickliffe's faults, that glorious saint would sooner chide than thank me, unwilling that in favour of him truth should suffer prejudice. He was a man, and so subject to error, living in a dark age, more obnoxious to stumble, vexed with opposition, which makes men reel into violence; and therefore it is unreasonable that the constitution and temper of his positive opinions should be guessed by his polemical heat, when he was chafed in disputation. But besides all these, envy hath falsely fathered many foul aspersions upon him.

The learning of Wickliffe.

3. We can give no account of Wickliffe's parentage, birthplace, or infancy; only we find an ancient

condemned. His most celebrated work against Wickliffe, entitled "Doctrinale Antiquitatum fidei Ecclesiæ Catholicæ adversus Wiclivitas," was first published at Paris, in three vols. folio, in 1532, and passed through various editions; he wrote also another treatise of considerable importance, viz. "Fasciculus zizaniorum cum tritico," which has never been published, but a very fine MS. of it is still preserved in the Bodleian. Of Walden, see Alegre, p. 337; Oudin. iii. 2214.]

[b] 2 Cor. iv. 12.

family of the Wickliffes in the bishopric of Durham [c], since by match united to the Brakenburies [d], persons of prime quality in those parts [d]. As for this our Wickliffe, history at the very first meets with him a man, and full grown, yea, graduate of Merton College in Oxford [e]. The fruitful soil of his natural parts he had industriously improved by acquired learning, not only skilled in the fashionable arts of that age, and in that abstruse, crabbed divinity, all whose fruit is thorns, but also well versed in the scriptures, a rare accomplishment in those days. His public acts in the schools he kept with great approbation, though the echo of his popular applause sounded the alarum to awaken the envy of his adversaries against him. A. D. 1371. 45 Edward III.

4. He is charged by the papists, as if discontent first put him upon his opinions. For having usurped the headship of Canterbury College [f], founded by Simon Islip, (since, like a tributary brook, swallowed up in the vastness of Christ Church,) after a long suit, he was ejected by sentence from the pope, because by the statutes only a monk was capable of the place. Others add, that the loss of Wickliffe accused for ambition and discontent.

[c] Camd. Brit. in the bishopric of Durham, [p. 601.]

[d] [More probably about the year 1324, in the parish of Wickliffe, near Richmond, in Yorkshire. According to Leland's Itinerary he was born at Spreswell, a poor village about a mile from Richmond, v. p. 99. ed. 1711. See Lewis's Life of Wickliffe, p. 1.]

[e] Bale's Cent. vi. §. 1. [He was first admitted a commoner of Queen's College, in Oxford, then newly founded by Robert Egglesfield; was afterwards a probationer in Merton College, and eventually, in the year 1365, was appointed by archbishop Islip to be the warden of his new college, called Canterbury Hall, from which he was shortly afterwards expelled by Simon Langham, who succeeded Islip, a monk of Canterbury who favoured his own body. Lewis, ib. 13.]

[f] Harpsfield, Hist. Wickliffiana, cap. 1.

A. D. 1371. 45 Edward III. the bishopric of Worcester, which he desired, incensed him to revenge himself by innovations. And can true doctrine be the fruit, where ambition and discontent hath been the root thereof? Yet such may know, that God often sanctifies man's weakness to his own glory; and that wise Architect makes of the crookedness of men's conditions straight beams in his own building, to raise his own honour upon them. Besides, these things are barely said, without other evidence; and if his foes' affirming be a proof, why should not his friends' denial thereof be a sufficient refutation? Out of the same mint of malice another story is coined against him, how Wickliffe, being once gravelled in public disputation, preferring rather to say nons—— than nothing, was forced to affirm that an accident was a substance[g]. Yet methinks, if the story were true, such as defend the doctrine of accidents subsisting in the sacrament without a substance, might have invented some charitable qualification of his paradox, seeing those that defend falsehoods ought to be good fellows, and help one another.

The employment of Wickliffe in Oxford.

5. Seven years Wickliffe lived in Oxford, in some tolerable quiet, having a professor's place and a cure of souls; on the week-days in the schools proving to the learned what he meant to preach, and on the Lord's day preaching in the pulpit, to the vulgar, what he had proved before: not unlike those builders in the second temple, holding a sword in one hand and a trowel in the other[h], his disputing making his preaching to be strong, and his preaching making his disputations to be plain. His speculative

[g] Idem ibidem.

[h] Nehemiah iv. 17.

positions against the real presence in the eucharist did offend and distaste, but his practical tenets against purgatory and pilgrimages did enrage and bemad his adversaries; so woundable is the dragon, under the left wing, when pinched in point of profit. Hereupon they so prevailed with Simon Sudbury, archbishop of Canterbury, that Wickliffe was silenced and deprived of his benefice[i]. Notwithstanding all which, he wanted nothing secretly, supplied by invisible persons, and he felt many a gift from a hand that he did not behold. A. D. 1371. 45 Edward III.

6. Here it will be seasonable to give in a list of Wickliffe's opinions, though we meet with much variety in the accounting of them. Difference in the number of Wickliffe's opinions.

i. Pope Gregory the Eleventh observed eighteen principal errors in his books[k], and Wickliffe is charged with the same number in the convocation at Lambeth[l].

ii. Thomas Arundel, archbishop of Canterbury, in a synod held at Preaching Friars, in London, condemned three-and-twenty of his opinions; the ten first for heretical, and the thirteen last for erroneous[m].

[i] [It was not Sudbury, but his successor, William Courtenay, who was so active against Wickliffe. Gregory XI., indeed, sent his bulls to archbishop Sudbury to proceed against Wickliffe; but the pope dying before the proceedings were ended, no sentence was passed. Lewis, ib. 49, 80, 97. Wickliffe was not, however, either silenced or deprived, enjoying his living of Lutterworth, and preaching there till the day of his death. Lewis, 122.]

[k] Harpsfield in Hist. Wickliffiana, p. 684.

[l] Foxe, Martyr. i. 564. [Nineteen Errors. They are printed in Wilkins's Concilia, iii. 123, from the register of archbishop Sudbury.]

[m] Idem. i. 568. [Printed in Wilkins's Concilia, iii. 157. This synod was held in the year 1382, by William Courtenay: twenty-four errors were condemned, but not nominally attributed to Wickliffe. See Wilkins, ib. p. 157.]

1371. ward. iii. In the council at Constance five-and-forty articles of false doctrines were exhibited against Wickliffe, then lately deceased [n].

iv. Thomas Waldensis computeth fourscore errors in him.

v. John Lucke, doctor of divinity in Oxford, brings up the account to two hundred sixty-six [o].

Lastly, and above all, John Cochlæus (it is fit that the latest edition should be the largest) swells them up to full three hundred and three [p].

Wonder not at this difference, as if Wickliffe's opinions were like the stones on Salisbury Plain, falsely reported that no two can count them alike. The variety ariseth, first, because some count only his primitive tenets, which are breeders, and others reckon all the young fry of consequences derived from them. Secondly, some are more industrious to seek, perverse to collect, captious to expound, malicious to deduce far distant consequences; excellent at the inflaming of a reckoning, quick to discover an infant or embryo error which others overlook. Thirdly, it is probable that in process of time Wickliffe might dilate himself in supplemental and additional opinions, more than he at first maintained; and it is possible that the tenets of his followers in after-ages might be falsely fathered upon him. We will tie ourselves to no strict number or method, but take them as we find them, out of his greatest adversary, with exact quotation of the tome, book, article, and chapter where they are reported.

[n] Foxe, i. 586.

[o] Harpsfield, Hist. Wickliffe, p. 669. See Wilkins, ib. 339.

[p] In Historia Hussitarum in Prolog. tomi primi.

Thomas Waldensis accuseth Wicliffe to have maintained these dangerous heretical opinions. A. D. 1371. 45 Edward III.

Of the Pope.

i. That it is blasphemy to call any head of the Church, save Christ alone.—Tom. 1. book 2. art. 1. chap. 1 [q].

ii. That the election of the pope by cardinals is a device of the devil.—Tom. 1. b. 2. art. 3. ch. 39 [r].

iii. That those are heretics which say that Peter had more power than the other Apostles.—Tom. 1. b. 2. art. 1. ch. 2 [s].

iv. That James, bishop of Jerusalem, was preferred before Peter.—Tom. 1. b. 2. art. 1. ch. 4 [t].

v. That Rome is not the seat in which Christ's vicar doth reside.—Tom. 1. b. 2. art. 3. ch. 41 [u].

[q] [1. "Si Augustinus timuit "vocare Christum hominem "Deum, ex hoc quod ejus sen- "sus non est patulus ex scrip- "tura, quanto magis timendum "est vocare Christianum ali- "quem caput Ecclesiæ ne forte "blasphemetur in Christum, "cum hoc nomen ex Trinitatis "consilio tanquam illi pro- "prium est servatum." f. 75. ed. 1532. Quoted from Wicliffe's work, De Christo et Antichristo, ch. 5.]

[r] [2. *De Electione Papæ.* "Quæ major infidelitas quam "approbare electiones Cardi- "nalium qui ex vobis sine "dubio sunt diaboli incarnati." f. 131. Quoted from his work, De Veritate et Mendacio, ch. 16.]

[s] [3. "Erubescant heretici "dicentes quod Petrus habet "ceteris apostolis excellentio- "rem potentiam quia est epi- "scopus Romanorum." f. 74, a. Quoted from his work, De Christo, &c., ch. 6.]

[t] [4. "Patet secundo quod "isti tres principales Apostoli "non contulerunt sensum vel "notitiam Evangelii Sancto "Paulo. Sed quod Jacobus "qui erat episcopus Hieroso- "lymitanus, ubi Christus fuit "Episcopus, a Deo in hoc Evan- "gelio Simoni antefertur." f. 77. Quoted from the same.]

[u] [5. "Quod Roma est "locus aptus ut Papa imme- "diatus Christi vicarius ibi "resideat revera non est color, "nisi in altera infami istarum "causarum; primo quia Papa "ibi infideliter perdit vitas "animarum, sicut prius Cæsar "infideliter ibi perdidit vitas "corporum Christi martyrum." f. 133, b. Quoted from his De Sermone Domini in Monte, c. 28.]

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vi. That the pope, if he doth not imitate Christ and Peter in his life and manners, is not to be called the successor of Peter.—Tom. 1. b. 2. art. 3. ch. 35[x].

vii. That the imperial and kingly authority are above the papal power.—Tom. 1. b. 2. art. 3. ch. 38[y].

viii. That the doctrine of the infallibility of the Church of Rome, in matters of faith, is the greatest blasphemy of Antichrist.—Tom. 1. b. 2. art. 3. ch. 48[z].

ix. That he often calleth the pope Antichrist.—Tom. 1. b. 2. art. 3. ch. 54[a].

x. That Christ meant the pope, by the[b] abomination of desolation, standing in the holy place.—Tom. 1. b. 2. art. 3. chap. 32[c].

[x] [6. "Si papa non sequitur "Christum in moribus, nec "imitatur Petrum in conver- "satione sancta, sed vivit "omnino contrarie, quid ipsi "et Petro, ut ex vita Petri "habeat illud nomen?—Non "sequitur nisi a contrario "sensu." f. 125, b. Quoted from the same, c. 29.]

[y] [7. "Papa et cardinales "fuerunt non ordinati a Do- "mino sed per diabolum intro- "ducti. In cujus signum nomen "papæ vel cardinalis non inse- "ritur in Scriptura."—"Cum "hoc nomen papa sit terminus "extra fidem scripturæ, videtur "quod in dotatione ecclesiæ "præsumpta, per Cæsarem est "inventum; et sic si connotet is- "tam ordinationem tunc nimis, "salubre foret ecclesiæ quod "non forent papa vel aliqui "cardinales." f. 129. Quoted from his Dial. Veritatis et Mendacii, ch. 24, and Conclusio xii.]

[z] [8. "Radicalis fundatio "ficta in ista materia stat in "isto, quod Romana ecclesia sic "determinat; sed ipsa non po- "test peccare, et specialiter in "materia fidei, ergo sic gene- "raliter est credendum; et inter "omnes blasphemias quæ un- "quam de Antichristo surrep- "serant hæc est major." f. 145. Quoted from his Sermo Epistolaris, 58.]

[a] [9. "Christus in scriptura "non docuit aliquam speciem "ordinis de capitulo Anti- "christi.—Capitulum istud in "istis speciebus continetur, ut "est papa, cardinales, patri- "archæ, archiepiscopi, epi- "scopi, archidiaconi, officiales, "et decani, monachi et canon- "ici. Fratres in istis quatuor "ordinibus sunt et quæstores." f. 154, b. Quoted from his De Ecclesia, ch. 6.]

[b] Matt. xxiv. 15.

[c] [10. "*Cum videritis abo-* "*minationem*, &c. Probabile

Of Popish Prelates.

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xi. That from the words, and works, and[d] silence of prelates in preaching, it seemeth probable that they are devils incarnate.—Tom. 1. b. 2. art. 2. ch. 16[e].

xii. That bishops' benedictions, confirmations, consecrations of churches, chalices, &c., be but tricks to get money.—Tom. 1. b. 2. art. 3. ch. 57[f].

Of Priests.

xiii. That plain deacons and priests may preach without license of pope or bishop.—Tom. 1. b. 2. art. 3. ch. 70[g].

xiv. That in the time of the apostles, there were

" quod Christus intelligit per " hæc verba papam sive Ro- " manum pontificem." From his Sermo Domini in Monte, ch. 22.]

[d] Ex verbo, opere, et taciturnitate prælatorum.

[e] [11. "Ex verbo et opere " et taciturnitate prælatorum " ecclesiæ sic vocatæ suppo- " nendum videtur atque proba- " bile quod sint diaboli incar- " nati." Et post concludit: " Sed quia ignoramus con- " versionem vel exitus eorum " non videtur de ipsorum dam- " natione temere judicandum, " sed istud videtur esse sanum " atque catholicum quod Chris- " tianus non communicet cum " eis in sacramentis, &c." Sermo lv.]

[f] [12. "Suppono quantum " ad istos duos ordines, sc. " confirmationem et dationem " ordinis quod non est ratio " quare inferiores presbyteri " non possent eos dare." From his De quatuor Sectis, ch. 4. " De tribus dignitatibus sive " officiis quæ episcopus sibi " servat, quæ sunt juvenum " confirmatio, clericorum or- " dinatio et locorum conse- " cratio; omnia sonant in cu- " pidinem lucri." f. 159, b. From his Speculum de Ecclesia, ch. 14.]

[g] [13. "Ex suggestione dia- " boli quia discipulorum Anti- " christi negant episcopi evan- " gelizationem pauperum sa- " cerdotum nisi habeant ab eis " licentiam.—Sacerdotes præ- " dicti habent ex speciali dono " Dei notitiam et animum " evangelizandi, sed nec licet " Deo nec homini impedire " eos, ne in hoc impleant ver- " bum Dei, ut currat sermo " Christi liberius. Ergo non " licet Episcopis in hoc impe- " dire dictos presbyteros." f. 181, b. From his Sermo Epistolaris, 62.]

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only two orders, namely, priests and deacons, and that a bishop doth not differ from a priest.—Tom. 1. b. 2. art. 3. ch. 60[h].

xv. That it is lawful for laymen to absolve no less than for the priests.—Tom. 3. ch. 68[i].

xvi. That it is lawful for clergymen to marry.—Tom. 2. ch. 128[k].

xvii. That priests of bad life, cease any longer to be[l] priests.—Tom. 1. b. 2. art. 3. ch. 81[m].

Of the Church.

xviii. That he defined the church to consist only of persons predestinated.—Tom. 1. b. 2. art. 2. ch. 8[n].

xix. That he divideth the church into these three

[h] [14. "Possunt quidam viri "religiosi ista nomina [sc. epi- "scoporum] habere et carere "veneno quod est modo sub isto "nomine introductum; ut olim "omnes sacerdotes vocati fue- "runt episcopi; et sic de aliis "nominibus quæ modo sapiunt "consuetudinem diaboli in ec- "clesia introductam." f. 163, b. From his Treatise De Ecclesia, ch. 6.]

[i] [15. "Tam necessarium "est sacramentum pœnitentiæ "quam sacramentum baptismi; "sed laicus potest unum mi- "nistrare in casu necessitatis "ergo et alterum." f. 146, b. From his work, De Papa, ch. 11.]

[k] [16. "Conjugium secun- "dum legem Christi eis licitum "oderunt ut venenum [cleri- "ci]." f. 133. From his work, De Officio Pastorali, xxix.]

[l] Waldensis, in several places of his book.

[m] [17. "Sicut rex, princeps "vel dominus tempore quo est in "mortali peccato non sortitur "nomen sui officii nisi nomine- "tenus et satis æquivoce; sic "nec papa, episcopus vel sacer- "dos, dum lapsus fuerit in mor- "tale." Wicliffe inter Conclu- siones Damnatas, cap. 93. See also 1, 2, 2, 8.]

[n] [18. "Patet ex fide scrip- "turæ et multiplici testimonio "sanctorum quod nullum est "membrum sanctæ matris ec- "clesiæ nisi persona prædesti- "nata, et de illa ecclesia lo- "quitur fides nostra, et non de "ecclesia malignantium vel de "ecclesia falso nuncupata. Se- "cundo videtur mihi quod "quoscumque prælatos Cæsa- "reos, vel a fide scripturæ no- "torie delinquentes, debemus "non supponere esse membra "sanctæ matris ecclesiæ." f. 81, b. From Wicliffe's De Dotatione Ecclesiæ, ch. 2.]

members; clergymen, soldiers, and labourers.—Tom. 1. b. 2. art. 1. ch. 12[o]. A. D. 1371. 45 Edward III.

xx. That the church was not endowed with any immoveable possessions before Constantine the Great.—Tom. 1. b. 4. art. 3. ch. 37[p].

xxi. That it is no sacrilege to take away things consecrated to the church.—Tom. 1. b. 4. art. 3. ch. 41[q].

[o] [19. "Ecclesia dicitur "communiter tripartita; sc. "ecclesia clericorum qui debent "esse Christo propinquissimi "et ecclesiæ triumphanti, et "juvare residuum militantis "ecclesiæ, ut sequitur Chris-"tum propinquius qui est "caput nostrum totius eccle-"siæ; ut patet, Ephes. i. "Secunda pars militantis ec-"clesiæ dicitur esse militum. "Ita quod sicut prima pars "istius ecclesiæ dicitur instru-"entium oratorum, ita se-"cunda pars ecclesiæ dicitur "corporalium defensorum. "Tertia vero pars ecclesiæ di-"citur vulgarium vel laborato-"rum." f. 88. From De Christo et Antichristo, ch. 1. De Veritate et Mendacio, et alibi.]

[p] [20. "Episcopi possent "vivere continue in paupertate "evangelica et pauperibus dis-"tribuere fideliter quod super-"est de eleemosynis sibi datis. "Quod a probabili fecerunt "apostoli qui erant episcopi "et multi alii episcopi in tre-"centenario illo in quo vixe-"runt exproprietarie ante do-"tationem ecclesiæ." f. 280. From his Dialog. Veritatis, cap. 29, &c.]

[q] [21. "Non dubium quin "clerus noster hodiernus isto "væ specialiter irretiantur ut "magnificans sacrilegium tan-"quam peccatum gravissimum "et introducens opinionem de "re sacra quod quicquid da-"tum vel dedicatum ecclesiæ "illud eo ipso est sacrum et "auferre illud a vocata eccle-"sia est summus gradus sacri-"legii, sicut dicunt. Et sic "bona possunt per laicos con-"ferri ecclesiæ, sed in nullo "casu auferri ab ea, et ita "cumulantur temporalia us-"que ad putredinem, tam eo-"rum, quam clericorum occu-"pantium: quia simile est ac "si illa temporalia fuissent in "tartaris devorata, quia ut "asserunt, licet laicis valde "meritorie dare illis bona tam "mobilia quam immobilia. "Sed postquam illa fuerint "per illam donationem stoli-"dam consecrata non licet clero "reddere illa bona—quia ut in-"quiunt committerent grave "sacrilegium sic reddendo." f. 284, a. From De Sermone Domini, ii. ch. 13. And in his Trialog. iv. c. 18. "Nos au-"tem dicimus illis quod nedum "possunt auferre temporalia "ab ecclesia habitualiter de-

A.D. 1371. 45 Edward III. xxii. That all beautiful building of churches is blameworthy, and savours of hypocrisy.—Tom. 3. ch. 143[r].

Of Tithes.

xxiii. The parishioners by him were exhorted not to pay tithes to priests of dissolute life[s].—Tom. 1. b. 2. art. 3. ch. 65[t].

xxiv. That tithes are pure alms, and that pastors ought not to exact them by ecclesiastical censures. —Tom. 1. b. 2. art. 3. ch. 64[u].

Of the Scripture.

xxv. That wise men leave that as impertinent, which is not plainly expressed in scripture.—Tom. 1. b. 2. art. 2. ch. 23[x].

" linquente, nec solum quod " licet illis hoc facere, sed quod " debent facere sub pœna dam- " nationis gehennæ, quoniam " debent de sua stultitia pœni- " tere et satisfacere pro pec- " cato quo Christi ecclesiam " taliter macularunt."]

[r] [22. " Christus videtur pa- " rum curare de templi ædificio " sumptuoso; et sic de basilicis " ab hypocritis in ecclesiam " introductis, ut patet, Matt. " xxiv. Talia autem sensi- " bilia mundo splendentia vi- " dentur aperire ostium domus " et introducere in suum cu- " biculum inimicos." f. 296, b. Ex Sermone Domini, c. 6.]

[s] [The same is stated, in a summary of Wicliffe's teaching, by Walsingham, p. 284.]

[t] [23. " Fideles ex istis eli- " ciunt, quod deficiente curato " notorie in suo officio pasto- " rali licet subditis immo de- " bent subtrahere ab ipso ob- " lationes et decimas, et quic- " quid fuerit occasio ad tale " facinus nutriendum." f. 172. Ex lib. De Cura Pastorali, ch. 8.]

[u] [24. " Ex istis a quibus- " dam colligitur quod curatus " non debet decimas a suis " subditis per excommunica- " tionem vel censura alias ex- " torquere. Patet per hoc " quod curatus non debet circa " talia cum subdito suo con- " tendere, in cujus signum " Christus et ejus apostoli non " exigebant sic decimas sed " fuerunt de alimento et tegu- " mento debitis contenti." f. 170. Ex eod. c. 6.]

[x] [25. " ' Prudentes habent " hanc consuetudinem quando " difficultas circa veritatem " aliquam ventilatur, in pri-

xxvi. That he slighted the authority of general councils.—Tom. 1. b. 2. art. 2. ch. 26[y]. A. D. 1371. 45 Edward III.

Of Heretics.

xxvii. That he called all writers, since the thousandth year of Christ, heretics.—Tom. 2. ch. 81[z].

Of Prayer.

xxviii. That men are not bound to the observation of Vigils, or canonical hours.—Tom. 3. ch. 23. and ch. 25[a].

" mis considerant quid fides " Scripturæ loquitur in hoc " puncto, et quod fides in hac " materia definierit credunt " stabiliter tanquam fidem. Si " autem fides Scripturæ neu- " tram ejus partem expresserit, " dimittunt illud tanquam eis " impertinens et non litigant " vel contendunt quæ pars ha- " beat veritatem.' Hæc Wit- " clef, De Veritate etc. c. " xvi." AUCTOR. "Ex hoc " fundamento maxime infideli " videtis quomodo destruit ar- " ticulum fidei quo credimus " ecclesiam Catholicam," &c.]

y [26. "Concilii generalis " auctoritas est universali ec- " clesiæ in auctoritate multum " consimilis, quamvis secun- " dum rei veritatem disparis " ponderis. Sed et contra " auctoritatem ejus loquitur " Witcleff in secunda parte " sermonum, sermone xlv. " WITCL. ' Conformiter " autem dici debet de con- " ciliis suis generalibus quæ " adeo solemnizant. Non enim " accipi debet vel credi con- " cilium apostolorum, nisi de " quanto creditur quod Spiritus " Sanctus confirmavit eorum " sententiam, sed cum multi " concurrentes ad modernum " concilium sunt ut plurimum " apostatæ, stolidi et ignari, " blasphema foret lex vel regu- " la quæ dictaret quod gene- " raliter standum est et cre- " dendum judicio majoris par- " tis.' "]

z [27. The passage to which reference is here made I cannot find, except it be the following; " Hæc verba numquid sancti " omnes jaculabuntur in Wit- " cleff, quorum sententias per " glossam suam facit esse. " Berengarios de Catholicis."]

a [28. " Fortis instantia con- " tra orandi instantiam vagam " prædicans libertatem sequitur " ibi, cap. 7. de quatuor Sectis. " ' Si quis quærat quid talis " presbyter ita de ratione fa- " ceret cum non debet Deum " taliter deprecari? Dictum " est, quod unus debet in casu, " quo Deus inclinaverit, præ- " dicare, alius dicere orationem " Dominicam, vel ædificare " proximum, aut spiritualiter

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xxix. That it is vain for laymen to bargain with priests for their prayers.—Tom. 3. ch. 11[b].

xxx. That to bind men to set and prescript forms of prayers, doth derogate from that liberty God hath given them.—Tom. 3. ch. 21[c].

" aut corporaliter secundum " quod Deus inclinaverit faci- " endum, et sic standum est " consuetudini loci, de quanto " non repugnat regulæ Christi " vel etiam rationi.' Hæc " Witclef. Hoc ultimum sic " intelligitur apud ejus asse- " clas: Et sic non est ceden- " dum consuetudini loci de " quanto *sibi* videtur re- " pugnare regulæ libertatis " Christi vel etiam rationi." ch. 25. "Quod tamen matuti- " narum vigiliarum celebri- " tatem jam diximus noctibus " frequentandam Witcleff in- " digne contrectat, increpans " ex ea religiosos nostros, trac- " tatu suo secundo, de Ser- " mone Domini in Monte, cap. " 65, ubi sumens textum " Matthæi, *Quomodo media* " *nocte clamor factus est, Ecce* " *Sponsus venit*:—et deinde " expositionem Hieronymi, " 'quod subito intempesta " nocte, et securis omnibus, " quando gravissimus sopor " est, per angelorum clamorem " et tubas præcedentium for- " midinem Christi resonabit " adventus, et sic Christum " venturum in similitudinem " Ægyptii temporis; ita reor " (inquit Hieronymus) tra- " ditionem apostoli jam per- " mansisse, ut de vigilia " Paschæ ante noctis dimidium, " populos dimittere non li- " ceat expectantes adventum " Christi.'—Sequitur: 'Unde " et psalmista dicebat: *Media* " *nocte surgebam ad confiten-* " *dum tibi.*'—Subdit et Wit- " cleff: 'Patet ex dictis istius " sancti quam levis evidentia est " in medio noctis surgere et di- " cere matutinas modo quo " religiosi nostri privati fa- " ciunt. Ex isto sermone " nudo psalmistæ psallimus. " Ac si nostri religiosi fatui sic " arguerent; psalmista sic fecit " semel ad minimum, sicut de " Ægypto exivit populus " Israeliticus semel in medio " noctis, semelque veniet " Christus ad judicium, ergo " illi debent regulariter sur- " gere, et dicere illa hora matu- " tinas.' "]

[b] [29. " Contra hæc sc. quod " Deus possit impediri aut sanc- " torum precibus retineri ne " usque ad quantum culpæ " justitia postulat, ipse sæ- " viat; Witcleff rixatur sic: " 'Posset stultus dimittere " opera meliora et intendere " orationi, ac si necessitaret " Deum ad dandum homini " illud quod petit.' " Cap. Secundo de Oratione.]

[c] [30. " Denique subjicit in " secundo capitulo illius li- " belli de oratione contra actam " obligationem ad canendum " divinum officium, secundum " aliquem usum limitatum, " specificans usum Sarum in " Anglia. 'Ut dictum est de

xxxi. That to depress the benefit of other men's purchased prayers, he recommended all men to hope and trust in their own righteousness. — Tom. 3. ch. 8[d]. A.D. 1371. 45 Edward III.

Of Alms.

xxxii. That we ought not to do any alms to a sinner, whilst we know him to be so.—Tom. 1. b. 2. art. 3. ch. 81[e].

Of the Sacraments.

xxxiii. That chrisme and other such ceremonies are not to be used in baptism. — Tom. 3. ch. 45. and ch. 46[f].

" confessione, videtur generalis " obligatio sub tanta pœna ad " usus talis observantiam: talis " usus non est prudens, cum " apostoli longe magis profue- " rint ecclesiæ sine observantia " talis usus; ideo obligare tam " generaliter et tam stricte ho- " mines ad orationes hujus- " modi, videtur libertate Do- " mini derogare.' "]

[d] [31. " Quis Christianis " imbutus principiis non com- " pungitur audiendo Witcleff " tam indulgere Pelagio in " laude operum quæ vocat " bonam vitam, et divinæ gra- " tiæ nihil tribuendum docet; " nec propter ea orandum, nec " in ea confidendum, sed in " justitia propria vitæ huma- " næ. In libro de Oratione, " c. 1. 'Deus non vult nos " esse in oratione vocali nimis " prolixos, sed omnino ut ora- " tioni justæ vitæ vel operis " intendamus. Ex istis colli- " gitur quod nemo sperat in " nuda oratione alterius, sed " omnino in propria justitia " vitæ suæ.' "]

[e] [32. From his work *de Dominio civili*, ch. lxxii. " Nos " non debemus præstare vel " donare aliquid peccatori dum " cognoscimus ipsum esse ta- " lem, quia sic foveremus pro- " ditorem Domini nostri."]

[f] [33. " Christus exemplar " totius ecclesiæ non fuit in " persona sua taliter confirma- " tus, nec in baptismo suo " chrisma hujusmodi, sed " aquam simplicem requisivit. " Nec sic dedicavit ecclesias, " sed episcopi hoc accipiunt " ex singulari opere Salomo- " nis; et sic difficultatur " ecclesia infideliter propter " solemnizationem talis con- " suetudinis introductæ." From Wicliffe's De Sermone Domini in Monte, pars ii. 13. ch. 46. "Sic ipse [Witcleff] " concludit post multa, libro " de Papa, c. 11. 'Cum enim

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xxxiv. That those are fools and presumptuous which affirm such infants not to be saved which die without baptism: and also, that he denied that all sins are abolished in baptism.—Tom. 2. ch. 99 and 108[g].

xxxv. That baptism doth not confer, but only signify grace, which was given before.—Tom. 2. ch. 97[h].

xxxvi. That in the sacrament of the altar the host is not to be worshipped, and such as adore it are idolaters.—Tom. 2. ch. 26[i].

" signa ista non sint nisi gra-
" tia signatorum, signata per
" se sufficiunt sine signis.' "]

[g] [34. " Argumentum ejus
" tertium est, 11. cap. Trialogi.
" Delato infante fidelium ad
" ecclesiam ut secundum Christi
" regulam baptizetur, et de-
" ficiente aqua, vel requisitis
" aliis, stante pia intentione
" totius populi, interim mortuo
" naturaliter nutu Dei, videtur
" grave damnationem infantis
" hujusmodi definire. Re-
" spondet in capitulo sequenti.
" 'Concedo quod Deus si volu-
" erit potest damnare infantem
" talem, et si voluerit potest
" ipsum salvare; nec audeo
" partem alteram definire;
" nec laboro circa reputatio-
" nem vel evidentiam in ista
" materia; sed ut mutus sub-
" ticeo.' Sequitur. 'Illi au-
" tem qui ex auctoritate sua
" sive scientia, in ista materia
" definiunt, tanquam præ-
" sumptuosi et stolidi non
" se fundant.' Ch. 108. Inter
" Conclusiones ter damnatas,
" 208. 'Baptismus delet
" omne peccatum originale vel
" actuale, mortale aut veniale
" quod invenit; sed de veniali
" omissionis non oportet.'
" Hæc Witcleff."]

[h] [35. " Dicit [Wicliffe] in
" eodem, cap. 12, Quarti Tria-
" logi. 'Baptismus flaminis
" est baptismus Spiritus Sancti.
" Ideo duo baptismi priores
" sunt signa antecedentia, et
" ex suppositione necessaria
" ad istum tertium baptismum
" flaminis. Ideo absque dubi-
" tatione si iste insensibilis
" baptismus affuerit, baptizatus
" a crimine est mundatus, et si
" ille defuerit quantumcumque
" adsint priores, baptismus non
" prodest animæ ad salutem.
" Ideo cum iste sit insensibilis
" et tantum nobis ignotus,
" videtur mihi imprudens præ-
" sumptio taliter damnationem
" hominis vel salvationem ex
" baptismate diffinire.' "]

[i] [36. " Hanc tamen ado-
" rationis Christianæ speciem
" ipse vocat idololatriam bestia-
" lem: De Eucharistia cap. ix.
" versus finem; ubi, 'Nimis
" multi (inquit) sunt laici et
" bestiales nimis sensibilibus
" intendentes, et multi (ut ait
" Apostolus) in adorando hos-

xxxvii. That the substance of bread and wine still remain[k] in the sacrament.—Tom. ii. ch. 23[l]. A.D. 1371. 45 Edward III.

xxxviii. That God could not, though he would, make his body to be at the same time in several places.—Tom. 2. ch. 55[m].

xxxix. That the sacrament of confirmation is not much necessary to salvation.—Tom. 2. ch. 111[n].

xl. That confession, to a man truly contrite, is superfluous, used by Antichrist, to know the secrets and gain the wealth of others.—Tom. 2. ch. 144[o].

" tiam tanquam gentes ad si-
" mulachra muta, prout duce-
" bantur captivati euntes ad
" idololatrandum. Qui autem
" adorat humanitatem Christi
" ut talem in hostia, adorat in
" ipsa Christum hyperdulia, et
" nemo rite adorat ipsam sub
" ratione propria. Et sic vere
" concluditur quod homo sit
" multiplicius honorandus quam
" hostia, et adorandus tanquam
" imago Dei, vas virtutum, et
" sic Christi verius quam hos-
" tia consecrata.'" Compare also ch. 25.]

[k] This is scattered in several places of his book.

[l] [37. "'Si (inquit) panis sit
" factus identice corpus Christi
" et illud corpus est realiter
" ipse Christus, ergo ille panis
" est factus realiter Christus
" Deus. Sed quæ idololatria
" foret amplius detestanda?
" Sic enim haberet quælibet ec-
" clesia dominum Deum suum,
" qui reciperet prædicationes
" abominabiles.'" [Wicliffe in Trialog. iv. 8.] ch. 57. "'Nihil
" horribilius quam necessario
" manducare carnaliter car-
" nem, et bibere carnaliter san-
" guinem hominis tam tenere
' prædilecti.' (De Eucharistia,
" c. 1.) ch. 24. De Simonia c.
" 20. 'Corpus (inquit) panis,
" servando panis substantiam
" est miraculose factum, cum
" hoc corpus Domini non au-
" deo dicere identice secundum
" substantiam vel naturam, sed
" tropice secundum significan-
" tiam vel figuram.'"]

[m] [38. This reference has escaped my search. I have no doubt of its being incorrectly printed, as many of the others were in the old edition.]

[n] [39. "'Non (inquit) video,
" quod generaliter sit hoc sa-
" cramentum de necessitate
" salutis fidelium. Nec quod
" prætendentes se confirmare
" pueros regulariter hoc con-
" firmant, nec quod hoc sa-
" cramentum sit specialiter
" episcopis Cæsareis reserva-
" tum. Et ulterius videtur
" mihi quod foret plus religio-
" sum et conformius modo lo-
" quendi Scripturæ, negare
" quod nostri episcopi dant
" Spiritum Sanctum vel con-
" firmant ulterius Sancti Spi-
" ritus dationem.'" Trialog. iv. 14.]

[o] [40. "'Quantumcumque

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xli. That that is no due marriage, which is contracted without hope of having children.—Tom. 2. ch. 130[p].

xlii. That extreme unction is needless, and no sacrament.—Tom. 2. ch. 163[q].

Of Orders.

xliii. That religious sects confound the unity of Christ's church, who instituted but one order of serving him.—Tom. 1. b. 2. art. 2. ch. 15[r].

xliv. That he denied all sacred initiations into orders, as leaving no character behind them.—Tom. 2. ch. 109[s].

xlv. That vowing of virginity is a doctrine of devils.—Tom. 3. ch. 91[t].

" (inquit) magnus fuerit Christi " episcopus non potest quem- " quam absolvere.—Immo con- " tritus quasi secure absolvitur " etsi humana absolutio non " sequatur.' "]

p [41. " Conjugium sive ma- " trimonium describit Witcleff, " dicens IV° libro ter damnati " Trialogi cap. ii. quod conju- " gium sit legitima copulatio; " qua secundum Dei legem " licet eis sine crimine filios " procreare. Ordinavit enim " Deus quod Adam et Eva " et per consequens quod " cuncti duo conjuges in pro- " creatione carnali taliter co- " pulentur."]

q [42. " Si ista corporalis " unctio foret sacramentum ut " modo fingitur, Christus et " cæteri Apostoli ejus promul- " gationem et executionem de- " bitam non tacerent." Trialog. iv. 15.]

r [43. " ' Unitas sectæ requi- " rit unitatem regulæ et pa- " troni; tunc cum istæ sectæ " quatuor tam in patrono quam " in regula variantur a secta " Christi, evidens est quod istæ " sectæ sunt dispares, sicut sunt " ordines, ex confusione pro- " pria variati.' Hæc ille, [in " libro de Antichristo cap. ii.]" See also ch. 13.]

s [44. " Quidam multipli- " cant in ordinibus et sacra- " mentis multis characteres; " sed istorum fundationem et " fructum nec in Sacra Scrip- " tura nec in ratione consi- " dero." Trialog. iv. 15.]

t [45. " Erubescat ergo Wit- " cleff infelix qui virginitatem " Deo dicatam et Christo pro- " fessam damnat et doctrinam " dæmoniorum dicit.—Quanto " magis damnandus est Wit- " cleff qui contra Christi apo- " stolos, contra ecclesiam, con-

Of Saints.

A. D. 1371. 45 Edward III.

xlvi. That such Christians, who do worship saints, border on idolatry.—Tom. 3. ch. 130 [u].

xlvii. That it is needless to adorn the shrines of saints, or to go in pilgrimage to them.—Tom. 3. ch. 131 [x].

xlviii. That miracles conceived done at saints' shrines may be delusions of the devil.—Tom. 3. ch. 124, 125 [y].

" tra naturam boni, tales pro- " fessiones damnat et vulgi " religionem carnalem exaltat; " ita ut conversationes eorum " communes in ecclesiis con- " globationes aut globos indig- " nanter appellet, in opere de " Ecclesia et Membris cap. xv. " et alibi."]

[u] [46. " Quid aiunt Gen- " tiles? quod colimus plures " deos. Quid Witcleff in dia- " logo suo Mendacii cap. xvi.? " 'Erubesce esse de genera- " tione adultera nisi docere " sciveris quod hæc signa mor- " tua miraculose fiunt ab ho- " mine quem asseris esse sanc- " tum.' Sequitur. 'Idem est " legem Christi postponere et " ista apocrypha chronicorum " anteferre, et Antiquum die- " rum relinquere, et deos re- " centes infideliter acceptare."']

[x] [47. "Jungatur patribus " suis Witcleff dicens libro ii. " de Sermone Domini in " Monte, cap. xvii. 'Quid " rogo valet ornare sepulchra " hominum mortuorum, et in " ista hypocrisi laborare? Nam " nec animæ nec corpora sunt " nunc in istis sepulchris quæ " incolunt collocata, et ta- " men ex fide patet quod " Christus est essentialiter in " qualibet creatura, et virtua- " liter secundum humanitatem " per omnem partem ecclesiæ " militantis; quare ergo non " honoramus istud caput eccle- " siæ et hypocrisim sepul- " chrorum dimittimus?'"]

[y] [48. " Talia miracula sunt " illusiva quia diabolus in per- " sona defuncti potest facere " his majora." Trialog. iii. 30. " Quantum ad orationes et " miracula patet quod sunt " illusiones diaboli somniatæ " cum publicatur hodie quod " quilibet sacerdos consecrando " eucharistiam facit infinita " miracula, et tanta et quanta " fecit Dominus Jesus Chris- " tus, et secundum apostolum, " 1 Corinth. xiii. *Si viator* " *habuerit omnem fidem ita ut* " *montes transferat, charitatem* " *autem non habuerit nihil est.* " Multo ergo magis signa " ostensa sive a Deo sive a " diabolo in presentia corporis " mortui non indicant quod sit " sanctum; ideo una de præ- " cipuis cautelis diaboli per " quam seduxit viantes est de- " ceptio in his signis. Cre-

xlix. That saints' prayers (either here or in heaven) are only effectual for such as are good.—Tom. 3. ch. 115[z].

Of the King.

l. That it is lawful in causes ecclesiastical, and matters of faith, after the bishop's sentence, to appeal to the secular prince. — Tom. 1. b. 2. art. 3. ch. 79[a].

li. That dominion over the creature is founded in grace.—Tom. 1. b. 2. art. 3. ch. 81[b].

" damus igitur vivis operibus " conformibus legi Dei et di- " mittamus hæc signa frivola." (Dialog. Majoris Mendacii, cap. xvi.)]

[z] [49. " Dixit cap. iii. de " Oratione. ' Dicunt quidam " presbyteri Dominis qui ro- " gant orationum suarum suf- " fragia, quod vivant juste ser- " vando Dei mandata; et erunt " orationum suarum et meriti " ecclesiæ totius participes ve- " lint nolint; et quantumcum- " que clamaverunt sine tali jus- " titia secularis Domini privata " oratio nihil valet.' "]

[a] [50. "'Cum,' inquit [Wit- " cleff in opere suo Epistolari " Sermone xxvii.], ' Papa ex- " pleat multos casus, in quibus " excommunicatus debet ex- " communicationem pro suo " perpetuo tolerare, et hi se- " cundum legem quam in reg- " num nostrum induxerunt " debent post xl dies pro tali " excommunicatione detrudi in " carcerem; manifeste sequitur " quod rex et regnum nostrum " facti sunt in casu tortores " pauperum, quia faciunt sicut " debent. Mota est autem " propter salvationem regni " et extinctionem nequitiæ An- " tichristi quædam evangelica " medicina, quod liceat cui- " cumque collegio regni ab " excommunicatione tali cu- " juscumque sacerdotis regis " nostri ad regem et ejus con- " silium appellare. Et facit " argumenta primo. Non du- " bium quin ad regem et ejus " militiam pertinet in tali casu " cognoscere, quia pertinet ad " eos consensum talem nefa- " rium præcavere; ergo perti- " net ad eos eum corrigere, et " ne omissione damnentur er- " rori hujusmodi contraire.' "]

[b] [51. " Sententia ejus de " humano dominio seculari se- " ditioni videtur annexa, qua " ponit et sustinet nullum " posse censeri dominum secu- " larem vere, sine gratia gra- " tum faciente, in libro suo " de Dominio Civili cap. ii. et " deinceps; unde est conclusio " ter damnata, c. xciv. ' Om- " nis homo in peccato mortali " caret quocumque dominio et " usu licito operis etiam boni

lii. That God divesteth him of all right who abuseth his power.—Tom. 1. b. 2. art. 3. ch. 83 [c]. A. D. 1371. 45 Edward III.

Of Christ.

liii. That Christ was a man, even in those three days wherein his body did lie in the grave.—Tom. 1. b. 1. art. 3. ch. 43 [d].

" de genere.' Et de Civili Do-
" minio c. xx. ' Civilis dominus
" excedendo limites suos forte
" facit perdendo dominum et
" abligando se perpetuo car-
" ceri, eoque ipso est excom-
" municatus, et exulans omni
" dominio prius habito priva-
" retur;' et conclusione ter
" damnata, c. xciii. ' Sicut rex,
" princeps vel dominus tem-
" pore quo est in mortali pec-
" cato non sortitur nomen sui
" officii nisi nomine tenus, et
" satis æquivoce; sic nec papa,
" episcopus, vel sacerdos dum
" lapsus fuerit in mortale &c.'
" et conclusione c. lxxv. ' Ad
" verum seculare dominium
" requiritur vera justitia do-
" minantis, sic quod nullus
" existens in peccato mortali
" est dominus alicujus rei.' "]

[c] [52. " De justitia tituli
" quam a diebus patrum nos-
" trorum certam credidimus,
" Witcleff redigit ad incertum
" per hoc medium, quod cum
" dominus temporalis peccat
" mortaliter eo quod contra-
" venit primæ justitiæ, eo et
" ipso Deus spoliat eum omni
" jure ad dominium ejus, nec
" habet de cætero nisi ad
" abusum. Unde de Dominio
" Civili cap. vi. Witcleff: 'Deus
" limitans omni famulo suo
" continuum servitium con-
" stituit utrobique usus limites
" abusum penitus interdicens;
" ideo non dubium quin eo
" ipso quo abutitur potesta-
" tem, injuste occupat bona
" Dei sine licentia ad hoc data,
" et per consequens Omnipo-
" tens eo ipso spoliat ipsum
" jure suo, quia aliter indubie
" oporteret quod Deus autho-
" rizet abusum quem injustus
" continuat quicquid facit.' "]

[d] [53. The discussion concerning the divine and human nature of our Lord occupies several chapters. The passages to which Thomas de Walden objects are chiefly taken from Wicliffe's Trialogus, ch. vii. and his treatise de Incarnatione Domini, ch. iv. " Instat
" Witcleff; ' Nunquid Christus
" pro sancto triduo fuit verus
" Christus? Immo vero Chris-
" tus. Igitur (dicit) fuit Deus
" et homo pro sancto triduo
" conjunctim: et ultra: ergo
" anima rationalis et caro con-
" junctim erant ille homo pro
" illo triduo: et sic Christus
" non fuit vere mortuus, quia
" anima non distabat a carne.' "
— " Arguit iterum Witcleff
" demonstrative ducendo ad
" inconveniens, ch. iv. ' Si
" Christus desiit esse homo
" pro sancto triduo et in resur-
" rectione iterum fuit homo,
" igitur bis factus est homo.' "]

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liv. That the humanity of Christ being separated, is to be worshipped with that adoration which is called *latria*.—Tom. 1. b. 1. art. 3. ch. 44[e].

lv. That Christ is the humanity by him assumed. —Tom. 1. b. 1. art. 3. ch. 44[e].

Of God.

lvi. That God loved David and Peter as dearly, when they grievously sinned, as he doth now when they are possessed of glory.—Tom. 2. ch. 160[f].

[e] [55. After quoting this passage from the Athanasian Creed, "Sicut anima rationalis "et caro unus est homo, ita "Deus et homo, unus est "Christus," the writer then refers to the summary of Wicliffe's doctrine, which he had placed at the head of his chapter, viz. "*Christi humanitatem* "*a divinitate sejunctam latria* "*adorandam esse, dicebat Wit-* "*cleffe.*" Then he proceeds, "Sed forsan quæritur; Unde "hoc mihi occurrit in dictis "ejus, ubi dicit sine figura "loquendi, carnem solam ve- "rum Christum et verum ho- "minem. Nam si caro sola "a carne disjuncta est verus "homo: sed sicut anima ratio- "nalis et caro unus est homo, "ita Deus et homo unus et "Christus; ergo si de potentia "majestatis humanitas Christi "esset a Verbo disjuncta, hu- "manitas illa esset adhuc ve- "rus Christus; et tunc non "esset verus Deus; esset ergo "Christus alius et æquivocus "Christo nostro qui Deus est et "homo. Quicquid ad casum "dixeris, non potest habere "calumniam, immo in scrip- "tis tuis confirmationem præ- "validam; ubi dicis in cap. x. "'Quod si per impossibile hu- "manitas Christi foret dimissa "propriæ personalitati, con- "versans nobiscum ut proxi- "mus, diligeres eum ut salva- "torem et redemptorem tuum "adoraresque eum latria, sicut "prius: quia nulli alteri ho- "minem a Deo poteris obli- "gari. Si ergo ille esset sal- "vator et redemptor tuus, jam "dimissus, jam esset Christus. "Nullus enim alius a Christo "foret redemptor tuus; quod "si digne adorares eum latria, "esset Deus tuus. Sicque "pure creatura esset tibi "Christus et verus Deus.' "Procul absit illa logica ab "ecclesia sancta Dei quæ est "meræ idolatriæ tam affinis."]

[f] [56. For Wicliffe's sentiments on predestination Thomas de Walden refers frequently to the Trialogus iii. 7, and according to these passages Wicliffe held the doctrine afterwards adopted by Hus and his followers, that the predestinate cannot fall from grace: "Mihi videtur quod gratia ista "quæ dicitur prædestinationis,

lvii. That God giveth no good things to his enemies.—Tom. 1. b. 2. art. 3. ch. 82.[g] A. D. 1371. 45 Edward III.

lviii. That God is not more willing to reward the good than to punish the wicked.—Tom. 2. ch. 153.[h]

lix. That all things come to pass by fatal necessity.[i]—Tom. 1. b. 1. art. 1. ch. 21.[k]

" vel charitatis finalis perse-
" verantiæ non potest a quo-
" quam excidere; quia si ex-
" cidit non est illa.' Hæc Wit-
" cleffe in præfato libro ch.
" vii."—"Hæc et similia tu ipse
" scribis, capite 13. tertii Tria-
" logi ter damnati. ' Est
" gratia prædestinationis vel
" finalis consummationis, qua-
" liter solum prædestinati sunt
" Deo chari vel grati; et alia
" est gratia vel charitas secun-
" dum præsentem justitiam, qua
" creatura rationalis est ad mo-
" dum chara Deo; et illa est
" satis fluxibilis in viante; et
" propter assistentiam vel de-
" ficientiam talis gratiæ Deus
" non magis vel minus afficitur
" creaturæ; ut tantum dilexit
" Petrum, David et cæteros
" quando graviter peccaverunt,
" sicut quando modo in patria
" sunt beati.' "]

[g] [57. " ' Deus non dat ali-
" quid nisi justis, dicens adeo
" notasse scripturam, quod
" Deus pluit super justos et
" injustos, et solem facit oriri
" super bonos et malos, non
" autem dicit quod aliquid do-
" nat.' Hæc Witcliff, cap. 2do
" de Dominio divino."]

[h] [58. " ' Quantum ad illud
" (inquit) quod Deus est pro-
" nior ad præmiandum quam
" ad puniendum satis istud est
" imbrigabile apud scholasti-
" cos; specialiter cum Deus sit
" in infinitum pronus ad pu-
" niendum. Ideo cum in pu-
" nitione sua sit summa jus-
" titia, videtur quod non sit
" proclivior ad aliquem præ-
" miandum; ideo vel hoc dic-
" tum magistrale taceo, vel
" glosso illud secundum ter-
" minos magis certos, et minus
" impugnabiles; quia non vi-
" deo magnam prudentiam
" verba hujusmodi defenden-
" do.' Hæc Wicliffe, [in 4
" Trialog. cap. 12.]"]

[i] Waldensis in several places layeth this to his charge.

[k] [59. " ' Omnia quæ eve-
" nient (inquit) de necessitate
" evenient, quia sic sequitur
" ex prædictis, cum omnia fu-
" tura sint, et non potest
" Deus aliter rem facere quam
" ut fecit, vel facturus est.
" Omnia ergo futura fixa, et
" immutabili necessitate fu-
" tura sunt quod sunt.' Unde
" primo Trialogi cap. ix. Wit-
" cleffe; ' Quis rectiloquus (in-
" quit) negaret hanc conse-
" quentiam; Deus intelligit
" hoc, ergo hoc est intellectum
" a Deo? Sed de quacumque
" creatura signata antecedens
" est absolute necessarium et
" æternum, ergo et consequens.
" Et in barbarizatione cujus-
" dam Evangelii feriæ secundæ
" hebdomadæ quintæ quadra-

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lx. That God could not make the world otherwise than it is made.—Tom. 1. b. 1. art. 1. ch. 13.[l]

lxi. That God cannot do any thing which he doth not do.—Tom. 1. b. 1. art. 1. ch. 10.[m]

lxii. That God cannot make that something should return into nothing.—Tom. 1. b. 1. art. 1. ch. 17.[n]

Much pity that Wicliffe's own books are lost.

7. Here the ingenuous reader must acknowledge that many of these opinions are truths, at this day publicly professed in the protestant church. For the rest, what pity is it that we want Wicliffe's works, to hear him speak in his own behalf. Were they all extant, therein we might read the occasion, inten-

" gesimæ: Christus (inquit) " multotiens dixit quod quic- " quid erit, necessario erit.' "]

[l] [60. " ' Deus', inquit (Witcleff, inter conclusiones 155.), " 'non potest mundum majo- " rare vel minorare, sed ani- " mas ad certum numerum " creare et non ultra. Quæ- " runt fideles nunquid pro- " ducto illo numero sic sig- " nato potest adhuc unam ani- " mam recentem producere? " Quod si non unde venit illa " impotentia vel evenit? Non " ex parte creaturæ, quia illa " divinam potentiam ullatenus " alligare non potest.' Brevi- " ter dicit; 'ipsa Dei voluntas, " quæ hunc sibi numerum ani- " marum fixit, ipsam Dei po- " tentiam alligavit quia non " potest plura secundum suam " omnipotentiam quam ante " decrevit æterna voluntas."]

[m] 61. [" ' Omnipotentia Dei " et ejus actualis creatio coæ- " quantur; et inde est Deus " omnipotens quia omne possi- " bile producit. Quia nolo (in- " quit) vagari circa intelligi- " bilitatem, sive potentiam pro- " ducendi res quæ non sunt, " concedens quia nihil est pro- " ducibile, nisi quod est.' Hæc " Witcleff."]

[n] [62. " Declarat autem hoc " in tractatu Universalium, " cap. xiii. ' Suppono (inquit) " primo, quod sicut creatio est " productio de puro esse intel- " ligibili, et sic de nihilo in " effectu ad esse essentiale " extra Deum; sic annihilatio " si foret, esset cessio creaturæ " in purum nihil in effectu; " sic quod existentia creaturæ " haberet purum esse intelli- " gibile. Ex quo videtur primo " quod Deus non posset ad- " nihilare aliquam creaturam " nisi adnihilaret totam uni- " versitatem creatam; et tamen " id non potest propter Chris- " tum et beatos; ideo videtur " quod non potest adnihilare."] [See also ch. 20.]

tion, and connexion of what he spake; together with the limitations, restrictions, distinctions, qualifications, of what he maintained. There we might see what was the overplus of his passion, and what the just measure of his judgment. Many phrases, heretical in sound, would appear orthodox in sense. Yea, some of his poisonous passages, dressed with due caution, would prove not only wholesome, but cordial truths; many of his expressions wanting, not *granum ponderis*, but *salis*, no weight of truth, but some grains of discretion. But now, alas! of the two hundred books, [o]which he wrote, being burnt, not a tittle is left, and we are fain to borrow the bare titles of them from his adversaries[p], from whom also these his opinions are extracted, who winnow his works, as Satan did Peter, not to find the corn, but the chaff therein[q]. And how candid some papists are in interpreting the meaning of protestants, appears by that cunning chymist[r], who hath distilled the spirits of Turcism out of the books of Calvin himself. A. D. 1371. 45 Edward III.

8. Now a synod was called by Simon Sudbury, archbishop of Canterbury[s], at Paul's in London, (the parliament then sitting at Westminster,) whither Wicliffe was summoned to appear; who came accordingly, but in a posture and equipage different A. D. 1376. Wicliffe appears before the synod in St. Paul's.

[o] Æneas Sylvius, Hist. Bohem. ch. xxxv. p. 104. [ed. Basil. 1551.]

[p] So Jo. Bale, ib. [This is a great mistake. The MSS. of Wicliffe are extremely numerous; probably none of his treatises are lost. A very large collection of them is in Trinity college Dublin, in the Bodleian library, among the Harleian MSS. in the British Museum; and some few in the college libraries in Oxford.]

[q] Luke xxii. 31.

[r] See the book called Calvino-Turcismus. [Written by Dr. Wm. Reynolds, a Romanist, and published at Antwerp, 1597. 8vo.]

[s] Translated from London to Canterbury, A. D. 1375. Walsingham, p. 188.]

A. D. 1376. 50 Edward III. from expectation. Four friars were to assist, the lord Piercy to usher, John duke of Lancaster to accompany him. These lords their enmity with the prelates was all Wicliffe's acquaintance with them; whose eyes did countenance, hands support, and tongues encourage him, bidding him to dread nothing, nor to shrink at the company of the bishops, for "they are all unlearned" (said they) "in respect "of you." Great was the concourse of people; as in populous places, when a new sight is to be seen, there never lack lookers on; and to see this man-baiting, all people of all kinds flocked together.

The brawl betwixt the bishop and the lords in the church.

9. The lord Piercy, lord marshal of England, had much ado to break through the crowd in the church, so that the bustle he kept with the people highly offended the bishop of London, as profaning the place and disturbing the assembly. Whereon followed a fierce contention betwixt them; and lest their interlocutions should hinder the entireness of our discourse, take them verbatim in a dialogue, omitting only their mutual railing[t], which, as it little became persons of honour to bring, so it was flat against the profession of a bishop to return; who, by the apostle's[u] precept, must be *patient, not a brawler.*

Bp. Courtney[x]. Lord Piercy, if I had known beforehand what masteries you would have kept in the church, I would have stopped you out from coming hither.

[t] [See Lewis, p. 97. The dialogue which follows is taken from Foxe, who does not mention a synod having been called: nor was it likely, for Wicliffe appeared merely before the archbishop as his ordinary. Foxe's account is very incorrect in many particulars.]

[u] 1 Tim. iii. 3.

[x] [Translated from Hereford to London in 1375. Walsingham, ib.]

Duke of Lancast. He shall keep such masteries here, though you say nay. A. D. 1376. 50 Edward III.

Lord Piercy. Wicliffe, sit down, for you have many things to answer to, and you need to repose yourself on a soft seat.

Bp. Courtney. It is unreasonable that one, cited before his ordinary, should sit down during his answer. He must and shall stand.

Duke of Lancast. The lord Piercy his motion for Wicliffe is but reasonable. And as for you, my lord bishop, who are grown so proud and arrogant, I will bring down the pride, not of you alone, but of all the prelacy in England.

Bp. Courtney. Do your worst, sir.

Duke of Lancast. Thou bearest thyself so brag upon thy parents[y], which shall not be able to help thee; they shall have enough to do to help themselves.

Bp. Courtney. My confidence is not in my parents, nor in any man else, but only in God in whom I trust, by whose assistance I will be bold to speak the truth.

Duke of Lancast. Rather than I will take these words at his hands, I would pluck the bishop by the hair out of the church[z].

These last words, though but softly whispered by the duke in the ear of one next unto him, were notwithstanding overheard by the Londoners; who, enraged that such an affront should be offered to their bishop, fell furiously on the lords, who were fain to depart for the present, and for awhile by flight and

[y] His father Hugh Courtney, earl of Devonshire.

[z] Foxe Martyr. 558. Harpsfield in Hist. Wicliffiana, 683. [Walsingham, p. 191.]

A.D. 1376. 50 Edward III.

secresy to secure themselves; whilst what outrages were offered to the duke's palace, and his servants, historians of the state do relate[a].

Why the archbishop and Wicliffe silent the while.

10. Wonder not that two persons most concerned to be vocal were wholly mute at this meeting; namely, Simon the archbishop, and Wicliffe himself. The former (rather acted than active in this business) seeing the brawl happened in the cathedral of London, left the bishop thereof to meddle, whose stout stomach and high birth made him the meeter match to undertake such noble adversaries. As for Wicliffe, well might the client be silent, whilst such council pleaded for him. And the bishops found themselves in a dangerous dilemma about him; it being no pity to permit, nor policy to punish, one protected with such potent patrons. Yea, in the issue of this synod, they only commanded him to forbear hereafter from preaching or writing his doctrine; and how far he promised conformity to their injunctions doth not appear.

Wicliffe's opinions marvelously spread, and why.

11. In all this synod, though Wicliffe made but a dumb shew, rather seen than heard, yet the noise of his success sounded all over the kingdom. For when a suspected person is solemnly summoned, and dismissed without censure, vulgar apprehensions not

[a] [The citizens would have executed their purpose on the duke and others of the nobility had they not been prohibited by the bishop himself. But in order to shew their sense of the indignity which the duke had offered to the bishop, they reversed his arms in the Chepe—"arma ejus in foro sunt pub-"lico reversata." The duke and Henry Percy during the commotion which they had caused were at dinner, but hearing that the citizens were in quest of them fled with all speed to Kennington, where Richard the prince and his mother were then staying. But the duke afterwards took his revenge by deposing the mayor and some of the aldermen. Walsingham, p. 192.]

only infer his innocence, but also conclude, either the ignorance or injustice of his adversaries. In public assemblies, if the weaker party can so subsist as not to be conquered, it conquers in reputation, and a drawn battle is accounted a victory on that side. If Wicliffe was guilty, why not punished? if guiltless, why silenced? And it much advantaged the propagating of his opinions, that at this very time happened a dangerous discord at Rome, long lasting, for above forty years, and fiercely followed; begun betwixt Urban the Sixth and Clement the Seventh: one living at Rome, the other residing at Avignon. Thus Peter's chair was like to be broken betwixt two sitting down at once. Let Wicliffe alone to improve this advantage; pleading, that now the Romish church, having two, had no legal head; that this monstrous apparition presaged the short life thereof; and these two antipopes made up one antichrist. In a word, there *was opened unto him a great door of utterance*, made out of that crack or cleft which then happened in this seasonable schism at Rome. A.D. 1376. 50 Edward III.

12. Edward, the third of that name, ended his life, having reigned a jubilee, full fifty years. A prince no less successful than valiant; like an amphibion, he was equally active on water and land. Witness his naval victory nigh Sluys, and land conquest at Cressy, Poictiers, and elsewhere. Yet his achievements in France were more for the credit than commodity, honour than profit, of England. For though the fair provinces he conquered therein seemed fat enough to be stewed in their own liquor, I mean rich enough to maintain themselves, yet we find them to have sucked up much of our English The death and character of king Edward the Third.

A.D. 1377. 51 Edward III.

sauce, to have drained the money and men of this land to defend them. This made king Edward to endeavour to his power to preserve his people from popish extortions, as knowing that his own taxes did burden, and the addition of those other would break the backs of his subjects. He was himself not unlearned, and a great favourer of learned men; colleges springing by pairs out of his marriage bed; namely, King's hall, founded by himself in Cambridge; and Queen's college, by Philippa his wife in Oxford. He lived almost to the age, and altogether to the infirmities of king David, but had not, with him, a virgin Abishag, a virgin concubine, to heat him: but (which is worse) in his decrepit age kept Alice Pierce, a noted strumpet, to his own disgrace and his people's disprofit[b]. For she, (like a bad tenant, which, holding an expiring lease without impeachment of waste, cares not what spoil he maketh

[b] [If we may trust Walsingham she greatly abused her influence with the king, who had now grown old and infirm. Accordingly in the year 1376 the parliament made an open complaint against her. "Milites "parliamentales graviter con- "questi sunt de quadam Alicia "Peres appellata, fœmina pro- "cacissima, quæ nimis familia- "ris extiterat domino regi. "Hanc utique accusabant de "malis plurimis per eam et "fautores ejus factis in regno. "Illa etenim modum mulie- "rum nimis est supergressa. "Sui etenim sexus et fragili- "tatis immemor, nunc juxta "justiciarios regis residendo, "nunc in foro ecclesiastico jux- "ta doctores se collocando pro "defensione causarum suadere, "ac etiam contra jura postu- "lare minime verebatur; unde "propter scandalum et grave "dedecus, quæ exinde regi Ed- "wardo non solum in hac terra "sed in exteris regionibus ni- "mium resultabant milites pe- "tierunt hanc ab illo penitus "amoveri." Hist. Angl. p. 189. A curious picture of the manners of the times, if not overdrawn; but it must be remembered, that it was a very common practice in those days, to pick out some obnoxious individual, especially if high in the king's favour, as a sacrifice to popular discontent. This good deed she did; she restored Wickham's fortune, which had been confiscated by the means of John of Gaunt. Stow, p. 332.

thereon,) sensible of what ticklish terms she stood on, snatched all she could rape and rend unto herself. In a word, the bad beginning of this king, on the murder of his father, must be charged on his mother's and Mortimer's account. The failings at his end may be partly excused by the infirmities of his age, the rather because whilst he was himself he was like himself, and whilst master of his own actions he appeared worthy of all commendations[c]. Richard the Second, his grandchild by Edward the Black Prince[d], succeeded him, being about twelve years of age, and lived under his mother's and uncle's tuition. A.D. 1377. 51 Edward III.

13. A parliament was called at Westminster, wherein old bandying betwixt the laity and clergy. The former moving, "That no officer of the holy "church should take pecuniary sums, more or less, "of the people for correction of sins, but only enjoin "them spiritual penance, which would be more "pleasing to God, and profitable to the soul of the "offender[e]." The clergy stickled hereat, for by this craft they got their gain; and no greater penance can be laid on them, than the forbidding them to impose money-penance on others. But here the king interposed, "That prelates should proceed therein as "formerly, according to the laws of the holy church, "and not otherwise." Yea, many things passed in this parliament in favour of the clergy; as that, Laity bandying against the clergy in parliament.

[c] [Edward died at Shene, June 21, 1377, attended by Alice Pierce. He was buried at Westminster. Walsingham, p. 192.]

[d] [Who died this same year. Walsingham, p. 190. The same writer gives this prince a brief but very expressive commendation—"eo obeunte, omnis obiit spes Anglorum."]

[e] Ex Rotulis in Turre Londinensi; 1 Ricardi II. [See also a MS. in Queen's college, Oxford, collected from the Rolls, &c. entitled Jura Cleri, p. 238.]

[illegible] ... [illegible] ... [illegible] ... [

courtier, one Lewis Clifford, on the very day of examination, commanding them not to proceed to any definitive sentence against the said Wicliffe[h]. Never before were the bishops served with such a prohibition: all agreed the messenger durst not be so stout with a mandamus in his mouth, but because backed with the power of the prince that employed him. The bishops, struck with a panic fear, proceeded no further; the rather because the messenger so rudely rushed into the chapel, and the person of this John Wicliffe was so saved from heavy censure, as was once the doctrine of his godly namesake, *for they feared the people*[i]: only the archbishop summoned a synod at London, himself preaching at the opening thereof. We find nothing of his sermon, but his text was excellent, *watch and pray.* Four constitutions he made therein, three whereof concerned confession, grown now much into discredit and disuse by Wicliffe's doctrine, and therefore con- A.D. 1378. 2 Richard II.

In fact the bishops seemed very glad to wash their hands of the affair altogether; and therefore more readily suffered this intermission, and that of the citizens, with whom, as we have just seen, they were highly popular. As the same chronicler observes:—"Insuper nec illud "esse silendum æstimo cum "episcopi prædicti cum isto "schismatico in capella archie- "piscopi apud Lambheth con- "venissent non dico cives tan- "tum Londinenses sed viles "ipsius civitatis se impudenter "ingerere præsumpserunt in "eandem capellam et verba fa- "cere pro eodem, et istud ne- "gotium impedire, confisi (ut "reor) de ipsorum præmissa "negligentia prælatorum." The same writer also distinctly states that Wicliffe, by the cunning explanation of his dogmas, deceived his examiners and the bishops, and thus escaped punishment. Ib. 208.

Lewis Clifford was of the queen's household; *de curia principissæ.* (Walsingham, ib.) and was sent by Joan the queen mother, a favourer of Wicliffe. Lewis, ch. x.]

[h] Antiq. Brit. p. 258, Foxe, i. 565.

[i] Mark xi. 32.

A.D. 1378. 2 Richard II. ceived more needful to press the strict observation thereof[k].

Transactions in the parliament of Gloucester.

15. In the parliament kept at Gloucester this same year[l], the commons complained that many clergymen, under the notion of *sylva cædua*, "lop-"wood," took tithes even of timber itself: requesting that in such cases prohibitions might be granted to stop the proceedings of the court-christian. It was moved also that *sylva cædua* (though formerly accounted wood above twenty years old) might hereafter be declared that which was above the growth of ten years, and the same to be made free from tithes[m]. But this took no effect, the king remitting things to their ancient course. To cry quits with the commons in their complaints, the archbishop of Canterbury inveighed as bitterly of the franchises infringed of the abbey church of Westminster; wherein Robert de Haulay, esq., with a servant of that church, were both despitefully and horridly slain therein, at the high altar, even when the priest was singing high mass, and pathetically desired reparation for the same[n].

[k] Lyndewode's Provincials, lib. v. fol. 183.

[l] [This parliament was held at Gloucester, apparently at the instigation of the duke of Lancaster, who hated the citizens of London, with whom the clergy were then popular. He had been the chief instigator in violating the sanctity of the abbey church at Westminster; from which he had justly incurred the indignation of the Londoners. Walsingham, p. 215.]

[m] Ex Rot. in Turre Londin. Richardi II. parte prima, numero 45. [MS. Jura Cleri, p. 253.]

[n] [Walsingham, 214. The immunities of the abbey were discussed and settled in the parliament held the next year, in which it was ordained that no sanctuary should be granted to debtors; or if they fled there, their goods should be sold to satisfy their creditors. Ib. 220.]

16. Some of the lords rejoined on their parts, that such sanctuaries were abused by the clergy, to protect people from the payment of their due debts; the aforesaid Haulay being slain in a quarrel on that occasion. And whereas upon the oaths and examination of certain doctors in divinity, canon, and civil law, it appeared that immunity in the holy church were only to be given to such who, upon crime, were to lose life or limb, the same was now extended to privileged people, in actions of account, to the prejudice of the creditor. They added moreover, that neither "God himself (saving his perfection), nor the "pope (saving his holiness), nor any lay-prince, could "grant such privilege to the church; and the "church, which should be the favourer of virtue and "justice, ought not to accept the same if granted[o]." The bishops desired a day to give in their answer, which was granted them; but I find not this harsh string touched again all this parliament, haply for fear but to make bad music thereon. Complaints were also made against the extortion of bishops' clerks, who, when they should take but eightpence[p] for the probate of a will, they now exacted greater sums than ever before: to which, as to other abuses, some general reformation was promised.

A.D. 1378. 2 Richard II.

Sanctuaries shrewdly shaken.

17. In the next parliament called at Westminster, one of the greatest grievances of the land was redressed, namely, foreigners holding of ecclesiastical benefices. For at this time the church of England might say with Israel, *Our inheritance is turned to strangers, our houses to aliens*[q]. Many Italians, who

Aliens debarred from holding benefices.

[o] Ex Rot. Tur. Londin. 2 Ric. II. part 2. num. 27. [See the Parliament Rolls, ib. p. 37. a.]

[p] Ibid. num. 46. [See MS. Jura Cleri, p. 263 and 272.]

[q] Lam. v. 2.

A. D. 1379. 3 Richard II.

knew no more English than the difference between a teston and a shilling, a golden noble and an angel, in receiving their rents, had the fattest livings in England by the pope collated upon them. Yea, many great cardinals, resident at Rome, (those hinges of the church must be greased with English revenues,) were possessed of the best prebends and parsonages in the land, whence many mischiefs did ensue[r]. First, they never preached in their parishes:

[r] See the catalogue of their names and numbers in Mr. Foxe, Acts, i. p. 562. [This statement Foxe obtained from public documents, and therefore it may be relied on. The following preferments which were held by non-resident foreigners, and certified into chancery, I have taken from that author, and have reduced the annual value from marks to pounds.

COVENTRY AND LICHFIELD.						
Deanery of Lichfield					333	6 8
to which were annexed the prebend of Brewood					53	6 8
and the parsonage of Adbaston					20	0 0
NORWICH.						
Archdeaconry of Suffolk					66	13 4
SURREY.						
Parsonage of Godalming, ibidem					40	0 0
YORK.						
Deanery of York					400	0 0
Prebend of Driffield ibid.					100	0 0
——— of Wistow ibid.					100	0 0
——— of Stransall ibid.					66	13 4
Archdeaconry of York					100	0 0
SALISBURY.						
Deanery of Sarum, held with the vicarage of Meare ib.		11	0	0		
Church of Heigh Jutbury ib.		50	0	0		
——— of Stoning		46	13	4	254	12 4
Chapel of Herst ib.		40	0	0		
——— of Wokenham ib.		36	0	0		
——— of Sanhurst		2	0	0		
Church of Godalming		40	0	0		
in D. of Winton, and treasuryship of Sarum, held with church of Figheldon in D. of Sarum		26	13	4	136	13 4
Church of Aldwardbury c. Pulton		10	0	0		
Prebend of Calne		100	0	0		
Archdeacoury of Berck. held with church of Mordon					106	13 4
Archdeaconry of Dorset, with Gissiche					68	13 4

of such shepherds it could not properly be said, that he *leaveth the sheep and fleeth*[s], who (though taking the title of shepherd upon them) never saw their A.D. 1379. 3 Richard II.

Prebend of Woodford and Wyvelford ib.	26	13	4
——— of Heiworth ib.	80	0	0
——— of Netherbarnby and Beminster	106	13	4
——— of Gillingham	80	0	0
CANTERBURY.			
Archdeaconry of Canterbury	157	10	0
BATH AND WELLS.			
Archdeaconry of Wells, with the churches of Hewish, Berwes, and Southbrent annexed	160	0	0
Treasury of Wells with Mertock annexed	60	0	0
Archdeaconry of Taunton, with the preb. of Mylverton	80	0	0
ARCHDEACONRY OF STOW.			
Prebend of Corringham, with a moiety of St. Mary of Stow	145	0	0
Prebend of Sutton	266	13	4
——— of Nassington	200	0	0
ARCH. OF NORTHAMPTON.			
Parsonage of Adderbury	100	0	0
ARCH. OF OXFORD.			
Prebend of Thame	133	6	8
ARCHD. OF BERKS.			
Prebend of Aylesbury	53	6	8
ARCHD. OF SUFFOLK.			
Archdeaconry of Suffolk	66	13	4
ARCHD. &c. OF SARUM.			
Archdeaconry of Sarum, with C. of Figheldon annexed	33	6	8
C. of Alwerbury, with the chapels of Patton and Farld	23	0	0
Prebend of Calne	100	0	0
Archdeaconry of Berck.	80	0	0
Prebend of Worth	100	0	0
——— of Woodford and Wilford	26	13	4
ARCHD. OF CANTERBURY.			
Archdeaconry of Canterbury, with the church of Lydden, the taxation of tenth deducted	20	0	0
Church of Tenham ditto	130	6	8
Hakington in Canterbury	26	13	4
St. Clements, Sandwich	5	6	8
St. Mary's, Sandwich (of which half only was received)	8	0	0
YORK.			
Deanery of York	373	6	8
Prebend of South Cane	106	13	4
DURHAM.			
Archdeaconry of Durham, church of Wermouth	133	6	8]

2 Richard II.

[s] John x. 12.

A.D. 1379. 3 Richard II.

flock, nor set foot on English ground. Secondly, no hospitality was kept for relief of the poor; except they could fill their bellies on the hard names of their pastors, which they could not pronounce; lord cardinal of Agrifolio, lord cardinal de St. Angelo, lord cardinal Veverino, &c. Yea, the Italians generally farmed out their places to proctors, their own countrymen; who, instead of filling the bellies, grinded the faces of poor people: so that what betwixt the Italian hospitality, which none could ever see, and the Latin service, which none could understand, the poor English were ill fed and worse taught. Thirdly, the wealth of the land leaked out into foreign countries, to the much impoverishing of the commonwealth. It was high time therefore for the king and parliament to take notice thereof; who now enacted, that no aliens should hereafter hold any such preferments, nor any send over unto them the revenues of such benefices: as in the printed statutes more largely doth appear.

The rebellion of Wat Tyler, and Jack Straw.

18. Whiles at this time clergy and laity cast dirt each in other's faces, and neither washed their own, to punish both burst forth the dangerous rebellion of Wat Tyler and Jack Straw, with thousands of their cursed company. These all were pure levellers (enflamed by the abused eloquence of one John Ball, an excommunicated priest[t]) who, maintaining that no gentry was *jure divino*, and all equal by nature,

> When Adam delv'd, and Eve span,
> Who was then the gentleman[v]?

[t] [Of John Ball see Thomas of Walsingham, p. 275, and a detailed account of this rebellion in the same chronicler, p. 247. sq. and in Henr. de Knyghton, 2636.]

[v] [See the abstracts of Ball's sermon on this text in Wal-

endeavoured the abolishing of all civil and spiritual degrees and distinctions. Yea, they desired to level men's parts as well as their purses; and, that none should be either wealthier or wiser than his fellows, projected the general destruction of all that wore a pen and inkhorn about them, or could write or read. To effect this design they pretended the people's liberty and the prince's honour; and finding it difficult to destroy the king, but by the king, they advanced the name to pluck down the thing signified thereby; crying up, that "all was for king Richard." They seemed also to be much for reformation; which cloak they wore to warm themselves therewith when naked, and first setting up; but afterwards cast it off in the heat of their success, as not only useless, but burdensome unto them. A. D. 1380. 3 Rich. II.

19. As the *Philistines came out in three companies*[w] to destroy all the swords and smiths in Israel, so this rabble of rebels, making itself tripartite, endeavoured the rooting out of all penknives, and all appearance of learning[x]. One in Kent, under the aforesaid Wat and John; the second in Suffolk; the third under John Littstarre, a dyer in Norfolk. The former of these is described in the Latin verses of John Gower, prince of poets in his time, of whom we will bestow the following translation. The rabble divided into three companies.

Watte vocat, cui Thome venit, neque Symme retardat,
Betteque Gibbe simul Hykke venire jubent.
Colle furit, quem Gibbe juvat nocumenta parantes,
Cum quibus ad damnum Wille coire vovet.

singham, p. 275. The causes of this rebellion are well stated both by Knyghton, 2633, and Stow, 283, but passed over in silence by other chroniclers.]

[w] 1 Sam. xiii. 17.

[x] [At the commencement of the rebellion their numbers amounted to 100,000. Walsingham, p. 248.]

A. D. 1381. 4 Ric. II.

Grigge rapit dum Davie strepit, comes est quibus Hobbe,
Lorkin et in medio non minor esse putat.
Hudde ferit, quos Judde terit, dum Tebbe juvatur,
Jakke domosque viros vellit et esse necat.

Tom comes thereat, when call'd by Wat, and Simm as forward we find,
Bet calls as quick, to Gibb and to Hykk, that neither would tarry behind.
Gibb, a good whelp of that litter, doth help mad Coll more mischief to do,
And Will he doth vow, the time is come now, he'll join with their company too.
Davie complains, whiles Grigg gets the gains, and Hobb with them doth partake,
Lorkin aloud, in the midst of the crowd, conceiveth as deep is his stake.
Hudde doth spoil, whom Judde doth foil, and Tebb lends his helping hand,
But Jack, the mad patch, men and houses doth snatch, and kills all at his command.

Oh the methodical description of a confusion! How doth Wat lead the front, and Jack bring up the rear? (For confusion itself would be instantly confounded, if some seeming superiority were not owned amongst them.) All men without surnames, (Tyler was but the addition of his trade[y], and Straw a mock name, assumed by himself; though Jack Straw would have been John of Gold, had this treason took effect,) so obscure they were, and inconsiderable. And as they had no surnames, they deserved no Christian names, for their heathenish cruelties; though, *to get them a name,* they endeavoured to build this their Babel of a general confusion.

[y] [According to Walsingham Tyler's name was Helier. Ib. 252.]

20. Many and heinous were the outrages by them committed, especially after they had possessed themselves of London. All shops and cellars were broken open; and they now rustled in silk, formerly rattling in leather; now soaked themselves in wine, who were acquainted but with water before. The Savoy in the Strand, being the palace of John duke of Lancaster, was plundered[z]; so was the hospital of St. John's; and sir Robert Hales, lord prior therein, and treasurer of England, slain. But as their spite was the keenest at, so the spoil the greatest on the law; well knowing that while the banks thereof stood fully in force, the deluge of their intended anarchy could not freely overflow. They ransacked the Temple, not only destroying many present pleas, written between party and party, (as if it would accord plaintiff and defendant to send them both jointly to the fire,) but also abolished many ancient records, to the loss of learning, and irrecoverable prejudice of posterity[a]. The Church fared as ill as the Temple; and Simon Sudbury, archbishop of Canterbury[b], after many indigni-

A.D. 1380. 4 Rich. II.

The barbarous outrages by them committed.

[z] [Walsingham, p. 249.]

[a] [Walsingham, p. 248. One of their infatuated demands was that the king should grant them a commission to decapitate all lawyers, escheators, and all other persons concerned in the law; entertaining the hope that if once these persons were destroyed no laws would be passed hereafter. Mad as this was, it speaks not well for the professors of the law at that time in England. Ib. 252.]

[b] [At that time lord chancellor of England. Walsingham, p. 248. The rabble vented their rage on sir Robert Hales and the archbishop because they had strongly dissuaded the king from going out to meet the rebels on Blackheath. Walsingham, p. 248. The same writer has given a detailed account of the cruelty exercised towards the archbishop. Ib. 250. He was first struck on his neck by an axe, but the wound not proving mortal, he raised his hand to his head, exclaiming, "Ah! ah! It is the hand of "the Lord!" Before he could remove his hand the execu-

A.D. 1380. 4 Rich. II. ties offered him, was at last by them beheaded on Tower-hill, patiently ending his life, and dying a state-martyr. But most fiercely fell their fury on the Dutch in London, (offended, belike, with them for engrossing of trade,) and these words, "bread and "cheese," were their neck-verse, or Shibboleth, to distinguish them; all pronouncing "broad and cause," being presently put to death. Of all people only some Franciscan friars found favour in their sight, whom they intended to preserve[c]. What quality, to us occult, commended them to their mercy? Was it because they were the most ignorant of other friars, and so the likest to themselves? But perchance these rebels, if demanded, were as unable to render a reason why they spared these, as why they spoiled others; being equally irrational in their kindnesses as in their cruelties.

Judas and Wat Tyler paralleled.

21. When I read that passage of Judas in the counsel of Gamaliel[d], it seemeth to me plainly to describe the rising, increase, and ruin of these rebels:

i. Rising. *There rose up Judas of Galilee in the days of the taxing:* so Tyler appeared, and this rebellion was caused by poll-money, heavily imposed by the king, and the arrears thereof more cruelly exacted by his courtiers that farmed it. And pity it

tioner repeating the blow amputated the tips of his fingers; yet notwithstanding all this extremity of cruelty, suffering, and mutilation, he expired, not until the blow had been eight times repeated.]

[c] See Godwin, de Præsul. Angl. [p. 435. Walsingham stoutly accuses the mendicant orders of being the fomenters of this rebellion; and this receives some countenance from the fact that the rebels intended to give quarter to no ecclesiastics except to the friars. Chron. 265, 6.]

[d] Acts, v. 37.

is so foul a rebellion could pretend so fair an occasion for the extenuating thereof. A. D. 1380. 4 Rich. II.

ii. Increase. *And drew away much people after him:* so the snowball increased here. John Gower telleth us in his parallel of the martyring of Simon Sudbury, archbishop of Canterbury, with Thomas Becket, his predecessor[e],

> Quatuor in mortem spirarunt fœdera Thomæ;
> Simonis et centum mille dedere necem.
>
> But four conspir'd Thomas his blood to spill;
> Whiles hundred thousands Simon help to kill.

Nor was this any poetical hyperbole, but an historical truth, if the several numbers of their three armies were summed up together.

iii. Ruin. *He also perished, and all, even as many as obeyed him, were dispersed:* so here, no sooner was Wat Tyler, their general (as I may term him) killed by valiant Walworth, the lord mayor of London, and his assistance (for it was John Cavendish, esq., that despatched him with a mortal wound[f]) in Smithfield; and Jack Straw, their lieutenant-general, legally beheaded[g] (too brave a death for so base a fellow) but all the rest mouldered away and vanished.

In memory of sir William Walworth's valour[h] the arms of London, formerly a plain cross, were

[e] In his book called "Vox "Clamantis," lib. i. cap. 14.

[f] Weever's Funeral Monuments, p. 693.

[g] Stow, Survey of London, p. 53. and 236. [and Stow's Chronicle, p. 289. who has given several particulars not to be found in the printed Chroniclers.]

[h] [Created a knight, with sir John Cavendish, for their valour on this occasion. Stow's Chron. 288.]

A. D. 1380. 4 Rich. II.

augmented with the addition of a dagger, to make the coat in all points complete [h]. Happy when the cross (as first there in place) directeth the dagger, and when the dagger defendeth the cross; when religion sanctifieth power, and power supporteth religion.

Harpsfield chargeth all this rebellion on Wicliffe's doctrine.

22. But Alanus Copus (for he it is whose Ecclesiastical History of England goes under the name of Harpsfield) heavily chargeth all this rebellion on the account of Wicliffe's doctrine; "whose scholars," saith he [i], "to promote their master's opinions, "stirred up this deadly and damnable sedition, and "sounded the first trumpet thereunto." Adding moreover, that Wicliffe's tenet, that "Dominion is "founded in grace, and that a king guilty of mortal "sin is no longer lord of any thing," was *cos hujus seditionis*, the whetstone of this sedition. But to what liar the whetstone doth properly belong will presently appear.

His malicious slander confuted.

23. It is no news for the best of God's children to be slandered in this kind. Jeremy was traduced, *Thou fallest away to the Chaldeans* [j]; St. Paul was accused, *We have found this man a pestilent fellow, a mover of sedition* [k]; yea, our Saviour himself was charged, that *He made himself a king, and was a traitor to Cæsar* [l]. But as these were foul and false aspersions, so will this appear, if we consider,

[h] [This is positively denied by Stow. The old seal of the city, being unfit for use, was broken, and a new one employed, a little prior to this time; but the old arms of the city were not altered, but remained as before, a cross, with the sword of St. Paul. See the Survey, p. 237.]

[i] In his Hist. Wicliffiana, cap. 12.

[j] Jer. xxxvii. 13.

[k] Acts xxiv. 5.

[l] John xix. 12.

i. When John Ball was executed at St. Albans, and Jack Straw at London [m], not the least compliance with Wicliffe or his doctrine is either charged on them or confessed by them [n]. A. D. 1380. 4 Rich. II.

ii. No wild beast will prey on his own kind. Now it is certainly known that John of Gaunt, duke of Lancaster, was the principal patron and supporter of Wicliffe, whose life they sought to destroy, and whose palace in the Strand they pillaged [o].

iii. Wicliffe himself came within the compass of their destructive principles, designing the death of all who wore a pen and ink; and that Wicliffe had both pen and ink Cope himself doth know, and the court of Rome with shame and sorrow will confess.

iv. Wicliffe lived some years after, and died peaceably possessed of the living of Lutterworth, in Leicestershire. Surely, had he been reputed the inflamer of this rebellion, the wisdom of the king and council would have taken another order with him.

[m] See his confession at large in Stow's Survey of London, p. 54. [Walsingham, 265, 275. Both these persons were priests. Walsingh. 261. Robert Westbrom also, the chief of the eastern party, was also a priest. Ib. 265.]

[n] [This is not exactly correct; for the former is explicitly charged with teaching Wicliffe's doctrines. See Walsingh. p. 275; and Henry de Knyghton, a canon of Leicester, of the same church as Ripindon, Wicliffe's friend and follower, by no means unfavourable to Wicliffe, states that Ball was Wicliffe's precursor: "Hic habuit præcursorem Johannem Balle veluti "Christus Johannem Baptistam, qui vias suas in talibus "opinionibus præparavit, et "plurimos quoque doctrina "sua ut dicitur perturbavit." 2644.]

[o] [Through hatred of this nobleman, giving out that they would never accept a king whose name was John. Walsingh. p. 248.]

A.D. 1380. 4 Rich. II. v. Amongst the articles laid to the charge of Wicliffe and his followers, in this king's reign, examined at Oxford and elsewhere, not a tittle of this rebellion is pressed upon them; which their malicious adversaries would not have omitted, if in any hope to make good that accusation against him.

vi. Whereas it is charged on Wicliffe that he held that dominion was founded in grace, which occasioned this rebellion; we know this, that Huss, his scholar, though he did hold that a king, being in mortal sin, was only called a king *æquivoca denominatione*, yet the same Huss confesseth, (to use his own words [p],) *ipsum Deum hujusmodi regem approbare quoad esse principem exterius*, that God himself allows such a king to be a prince in all outward matters. So that, leaving him to divine justice, he never dreamt of any resistance or rebellion to be made against him.

vii. The modern Protestants (heirs, say the papists, to Wicliffe's doctrine) so far abominate these rebels their levelling and ignorant principles, that they are known both to maintain distances of people, and to have been the restorers of lost, yea, the revivers of dead, learning and languages. How had the mathematics measured their own grave, Greek turned barbarism, Hebrew (as it readeth) gone backward, never to return again, had not Protestant critics, with vast pains and expense, preserved them!

[p] Huss, Tract de Decimis, p. 128, [ed. 1558.] See bishop Davenant's Determination, [Quæst. xxx. p. 136. ed. 1639. These are not the words of Huss, but the summary of his argument by Davenant, from whom the question is derived.]

viii. It is more suspicious, that this rebellion came out of the Franciscan convent, because some of these, belike, were the rebels' whiteboys, and, as is afore-mentioned, to be spared in a general destruction. A. D. 1380. 4 Rich. II.

In a word, I wonder how many ingenuous papists can charge Wicliffe of rebellion, in maintaining dominion to be founded in grace, when the grandees of their own religion (Aquine, Cajetan, Bellarmine, Suarez) maintain that dominion is so founded in grace, (in the pope,) that a king, by him excommunicate, may lawfully be deposed and murdered.

24. William Courtenay, archbishop of Canterbury [q], (in the place of Simon Sudbury, lately slain,) made cruel canons, in a synod at London, against the maintainers of Wicliffe his opinions [r]; and I wonder that in Lyndewood's Constitutions, no mention at all of any canons made by this archbishop, who sat above ten years in the see. As for the heavy persecution which soon after he raised against Robert Rugge, Thomas Brightwell, Nicholas de Hereford, Philip Ripington, &c. [s], nothing can be added to what Mr. Foxe hath related [t]. A. D. 1382. Archbishop Courtenay persecutes the Wicliffians.

25. In my mind it amounteth to little less than a miracle, that during this storm on his disciples, Wicliffe their master should live in quiet: strange Wicliffe his miraculous deliverance.

[q] [Late bishop of London.]

[r] [Walsingham, 285.]

[s] [See an account of these persons in Lewis's Wicliffe, chap. x. Robert Rugge was chancellor of the university of Oxford; Ripindon was also of the same university, and canon of Leicester; Brightwell was also a doctor of divinity of the same university, and probably related to Dr. Nicholas Brightwell, dean of Newark, in Leicester, chancellor of Oxford in 1388. Hereford's protestation is in Knyghton. 2655. See also Stow, p. 302.]

[t] [In his Acts, &c. I. p. 571. sq.]

A.D. 1382. 6 Rich. II. that he was not drowned in so strong a-
ran against him, whose safety (under G
vidence) is not so much to be ascribed t
strength in swimming as to such as hel
by the chin—the greatness of his noble s
About this time he ended his translatic
Bible into English [u], (a fair copy wl
Queen's College, in Oxford, and two mo
University Library,) done no doubt in
expressive language of those days, though
uncouth to our ears: *The knave of Jesus*
servant; and *Philip baptized the gelding,* f
Acts viii.; so much our tongue is impro
age. As for the report of Polydore Virgi
him to fly out of England in the time o
the Third, *et in magno pretio apud Bohen*
and to have been of high esteem amongst
mians; it is true of Wicliffe's writings, b
his person, who never departed his native

A.D. 1385. His quiet death. 26. Not long after, therein he ended
his cure at Lutterworth, in Leicestershi
palsy [x]. Admirable, that a hare so ofte
with so many packs of dogs should di
quietly sitting in his form. Parsons t
snarls at Mr. Foxe for counting Wicliffe
in his Calendar, as, so far from sufferin
death, that he was never so much as impr
the opinion he maintained. But the pl
be justified in the large acception of th
for a witness of the truth; besides, the
Wicliffe was martyred as to shame, thou

[u] [Leland, De Script. Brit. 380.]
[x] Leland, ex cronico Tinensi. [In Com. de Script 379. ed. Hall, 170 Walsingh. 312.]

pain, as far as his adversaries' cruelty could extend, being taken up and burnt many years after his death, as (God willing) we shall shew hereafter. A.D. 1385. 8 Rich. II.

27. William Wickham about this time finished his beautiful college in Oxford [y]. Some have raised a scandal of him, that he was no scholar at all, from which the very meanest scholar in his foundation can acquit him by that rule in logic, *Quod efficit tale magis est tale:* what maketh the same is more the same; by which his learning must be inferred, whose bounty caused so many learned men. Now because the maxim runneth with a limitation, *Si sit tale*, (if it be the same,) the truth hereof also appears from the learned pen [z], who, writing Wickham's life, hath proved him to have been a sufficient scholar, skilled in other arts, as well as in practical mathematics and architecture. A.D. 1386. New college built by bishop Wickham.

28. Now as Solomon, when about to build his house at Millo, seeing Jeroboam to be an industrious man, made him *master of his fabric* [a], so Edward the Third, discovering the like sufficiency in this great clerk, employed him in all his stately structures: witness this in motto at Windsor Castle, *This made Wickham*, meaning that the building of that castle gave occasion to his wealth and honour; whereas on this college he might write, *This Wickham made*, the building and endowing thereof being the effect of his bounty alone: hence Industry and judgment in architecture the cause of his advancement.

[y] It was begun anno 1375. [The first stone was laid March 5, 1380; it was finished in April, 1386.]

[z] Dr. Martin, who wrote a book in vindication of his learning: [Historica Descriptio complectens vitam ac res gestas beatissimi viri Guilielmi Wicami, quondam Vintoniensis Episcopi et Angliæ Cancellarii, &c. Londini, 1597. 4to.]

[a] 1 Kings xi. 26.

A.D. 1386. 10 Rich. II. it is that this college giveth the arms of Wickham, viz. two chevrons betwixt three roses, each chevron alluding to two beams fastened together, (called couples in building,) to speak his skill in architecture [b].

A castle-college designed for defence.

29. This college he built very strong, out of a design [c] that it should be able to hold out a siege of itself, if need so required it; though may it never have a temptation in that kind, to try the strength of the walls thereof! Indeed this college, with Bourges in France, may lay claim to the name of Bituris:

Turribus a binis inde vocor Bituris;

so called from two towers therein, as this hath the like: one over the gate, the other over the porch, in the entrance into the hall; so that it may seem a castle college, and made as well for defence as habitation. So that at this present is maintained therein a warden, seventy fellows and scholars, ten chaplains, three clerks, one organist, sixteen choristers, besides officers and servants of the foundation, with other students; being in all one hundred thirty-five.

A.D. 1392. A college at Winchester built also by bishop Wickham.

Pass we now from his orchard of grown trees to his nursery of grafts, the college at Winchester, which a few years after the same bishop finished [d],

[b] Wake's **Rex** Platonicus, p. 144.

[c] So say the statutes of this college.

[d] ["] His monument at Ox- " ford, New College, supposed " to have taken its name from " an ancient hostle, sometime " standing on its site, called " St. Neot's Hall, was first " began, of which more anon. " The very next year after it " was finished he began his " other college by Winchester, " the first stone of which was " laid 26th of March, at three " of the clock in the morning, " anno 1387, and in six years'

not much inferior to the former for building and endowments, as wherein he established one warden, ten fellows, two schoolmasters, and seventy scholars, with officers and servants, which are all maintained at his charge; out of which school he ordained should be chosen the best scholars always to supply the vacant places of the fellows of this college [e]. A. D. 1392. 16 Rich. II.

31. As his charity, so his faith (*he that provideth not for his house is worse than an infidel*) appeared in this his foundation; ordering that his own kinsmen should be preferred before others [f]. Let their parents therefore but provide for their nursing when infants, their breeding when children, and he hath took order for their careful teaching at Winchester when youth, liberal living at Oxford when men, and comfortable subsistence in their reduced age, in those many and good patronages he hath conferred on the college. And truly as these his kindred have been happy in him, so Wickham hath been happy in his kindred, many of them meriting the best preferment, without any advantage of his relation. And as this Wickham was the first in that kind so provident for his kindred, his practice hath since been precedential to some other colleges, as the statutes His care for his kindred.

" space finished in such sort " that the first warden and " fellows, after a solemn pro- " cession, entered into the same " at three of the clock in the " morning, 28th March, 1393." Wood's History, &c. p. 176. The school had already existed twenty years, having been opened in Michaelmas, 1373.]

[e] ["At Winchester he ap- " pointed the number of an " hundred and five persons; " viz. one warden, two fellows " that are priests, three chap- " lains, three clerks, fifteen " choristers, who are daily to " perform divine offices in the " chapel there, twenty scholars " to apply themselves to gram- " mar, and a master and an " usher to instruct them." Wood, ib.]

[f] [He also remembered every one of them in his will.]

A.D. 1392. 16 Rich. II. of this house are generally a direction to other later foundations. To take our leave of this bishop, whosoever considers the vast buildings and rich endowments made by this prelate, besides his expense in repairing the cathedral at Winchester, will conclude such achievements unpossible for a subject, until he reflect on his vast offices of preferments, being bishop of Winchester, rector of St. Martin's-le-Grand, holding twelve prebends in *commendam* with it, lord privy seal, chancellor, and treasurer of England, besides other places of meaner consequence.

[Let me conclude this section with the testimony of old John Stow, who has added some other particulars of the generosity and munificence of this glorious prelate. "This "year (A. D. 1404) died Wil- "liam Wickham, bishop of "Winchester, by whose charges "and travel the clergy of Eng- "land was much increased; "for he builded a noble college "in Oxford, &c.; he builded "the great body of the church "of St. Swithin's in Winches- "ter, where the sermons are "made, and where his body is "interred — a very princely "work! Neither did he for all "this diminish any thing of his "ordinary household charges, "and fed (as the writing en- "graved on his sepulchre shew- "eth) both rich and poor. He "deceased at the age of seventy "years. He died rich, for "beside that he gave to his "kinsfolk and to the poor, "he gave somewhat to every "church in his diocese. He "gave many things to the "king, and to his own ser- "vants, and to his colleges; "neither do I doubt but that "he who thus lived is now "with God, whom I beseech "to raise up many like bishops "in England." 'And let all the people say, Amen.' Chron. p. 331.]

A. D. 1392. 16 Rich. II.

Wardens.	*Benefactors* g.	*Bishops* h.	*Learned writers.*
Richard de Tonworthe.	Mr. [Christopher] Rawlins.	Wm. Warham, archbishop of Canterbury.	Thos. Harding.
[1379.] Nich. de Wykeham.	Sir Richard Read, knt.	Wm. Waynflete, bishop of Winchester.	Thos. Neale.
[1389.] Thomas Cranly.	Dr. Newman.	John White, bishop of Winchester.	Nich. Sanders.
[1396.] Rich. Malforde.	Dr. [George] Ryves Ward.	Thomas Bilson, bishop of Winchester.	Nich. Harpsfield.
[1403.] John Bouke.	Dr. Martin.	Wm. Knight, bishop of Bath and Wells.	Wm. Reynolds i.
[1429.] Wm. Escourt.	Robert Bell.	Jas. Turbervil, bishop of Exeter.	Thos. Hide.
[1435.] Nich. Ossulbury.	Dr. Smith.	Robert Sherbourne, bishop of Chichester.	John Marshall.
[1453.] Thos. Chaundler.		Arthur Lake, bishop of Bath and Wells.	Thos. Stapleton.
[1475.] Walter Hill.			John Fenne.
[1494.] William Porter.			Rich. White k.
[1520.] John Reade.			John Pits.
[1521.] John Younge.			All violent maintainers of the popish religion.
[1526.] John London.			
[1542.] Henry Cole.			Sir Hen. Wotton.
[1551.] Ralph Skinner.			Dr. Tooker, dean of Lichfield.
[1553.] Thomas White.			Dr. Jas. Cook, archdeacon of Winchester.
[1573.] Mart. Culpepper.			Sir Thos. Ryves, (besides other elegant works,) for his Vicar's Plea.
[1599.] George Rives.			Sir Jas. Hussee.
[1613.] Arthur Lake.			Sir Henry Martin.
[1617.] [Robert] Pink.			Dr. Meredith, dean of Wells.
[1647.] [Hen.] Stringer.			Arthur Lake, bishop of Bath and Wells.
[1649.] [Geo.] Marshal.			Wm. Twisse.
			John White.

g [This list of benefactors is very incomplete, and differs materially from that which is given by Wood.]

h [Wood enumerates thirty-five bishops down to Robert Lowth, in 1777.]

i He was brother to Dr. John Reynolds, the great protestant.

k He wrote a History of England, [in Latin, with this title, Richardi Viti Basinstochii Comitis palatini Historiarum Libri, 1597. It extends to eleven books, of which the two last are very rare. As an historical work it is utterly worthless.]

A. D. 1392. 15 Rich. II.

One may defy the suspicion of flattery, if adding Dr. Harris, the reverend warden of Winchester; Dr. Richard Zouch, not beholden to his noble extraction for his repute, founded on his own worth, and books reprinted beyond the seas; Dr. Merrick, late judge of the prerogative: but it is better to leave the characters of their worth to the thankfulness of the next age to describe.

Good laws in due season.

32. Lately the pope's usurpation was grown so great, in entrenching on the crown, that there was an absolute necessity seasonably to retrench his usurpation; for albeit the kings of England were as absolute in their demeans, their prelacy and clergy as learned, their nobility as valiant and prudent, their commons as free and wealthy as any in Christendom, yet had not some laws of provision now been made, England had long since been turned part of St. Peter's patrimony in demeans; yea, the sceptre wrested out of their king's hands, her prelates made the pope's chaplains and clerks, nobility his servants and vassals, commons his slaves and villains, had not some seasonable statutes of manumission been enacted.

The maul-pope's statute of præmunire.

33. For now came the parliament wherein the statute was enacted which mauled the papal power in England. Some former laws had pared the pope's nails to the quick, but this cut off his fingers, in effect, so that hereafter his hands could not grasp and hold such vast sums of money as before. This is called the Statute of Præmunire; and let not the reader grudge the reading thereof, which gave such a blow to the church of Rome that it never recovered itself in this land, but daily decayed till its final destruction[1]:

[1] [See the authentic collection of the Statutes, vol.ii. p. 8.]

A. D. 1393. 16 Rich. II.

"WHEREAS the Commons of the realm in this "present parliament have shewed to our redoubted "Lord the King, grievously complaining, that "whereas the said our Lord the King and all his "liege people ought of right, and of old time were "wont to sue in the King's court, to recover their "presentments to churches, prebends, and other "benefices of holy church, to the which they had "right to present, the cognizance of plea of which "presentment belongeth only to the King's court, of "the old right of his crown, used and approved in "the time of all his progenitors, kings of England: "And when judgment shall be given in the same "court upon such a plea and presentment, the arch-"bishops, bishops, and other spiritual persons, which "have institution of such benefices within their "jurisdictions, be bound and have made execution "of such judgments by the king's commandments "of all the time aforesaid, without interruption, (for "another, lay person, cannot make such execution,) "and also be bound of right to make execution of "many other of the king's commandments, of which "right the crown of England hath been peaceably "seised, as well in the time of our said Lord the "King that now is, as in the time of all his pro-"genitors till this day: But now of late divers "processes be made by the bishop of Rome, and "censures of excommunication upon certain bishops "of England, because they have made execution of "such commandments, to the open disherison of the "said crown, and destruction of our said Lord the "King, his law, and all his realm, if remedy be not "provided: And also it is said, and a common "clamour is made, that the said bishop of Rome

A. 1393. Richard II.

"hath ordained and purposed to translate some pre-
"lates of the same realm, some out of the realm,
"and some from one bishopric into another within
"the same realm, without the king's assent and
"knowledge, and without the assent of the prelates
"which so shall be translated, which prelates be
"much profitable and necessary to our said Lord
"the King, and to all his realm; by which trans-
"lations (if they should be suffered) the statutes of
"the realm should be defeated and made void, and
"his said liege sages of his council, without his
"assent and against his will, carried away and got-
"ten out of his realm, and the substance and
"treasure of the realm shall be carried away, and
"so the realm destitute as well of council as of
"substance, to the final destruction of the same
"realm: and so the crown of England, which hath
"been so free at all times that it hath been in no
"earthly subjection, but immediately subject to God
"in all things touching the regality of the same
"crown, and to none other, should be submitted to
"the pope, and the laws and statutes of the realm
"by him defeated and avoided at his will, in the
"perpetual destruction of the sovereignty of the
"King our Lord, his crown, his regality, and of all
"his realm, which God defend.

"And moreover the Commons aforesaid say, that
"the said things so attempted be clearly against the
"king's crown and his regality, used and approved of
"the time of all his progenitors; Wherefore they,
"and all the liege Commons of the same realm,
"will stand with our said Lord the King, and his
"said crown, and his regality, in the cases aforesaid,
"and in all other cases attempted against him, his

" crown, and his regality, in all points, to live and A. D. 1393. 16 Rich. II.
" to die. And moreover they pray the King, and
" him require by way of justice, that he would
" examine all the Lords in Parliament, as well
" spiritual as temporal, severally, and all the states
" of the Parliament, how they think of the cases
" aforesaid, which be so openly against the king's
" crown, and in derogation of his regality, and how
" they will stand in the same cases with our Lord
" the King, in upholding the rights of the said crown
" and regality. Whereupon the Lords temporal so
" demanded have answered, every one by himself,
" that the cases aforesaid be clearly in derogation of
" the King's crown, and of his regality, as it is well
" known, and hath been of a long time known, and
" that they will be with the same crown and regality,
" in these cases specially, and in all other cases
" which shall be attempted against the same crown
" and regality in all points, with all their power.
" And moreover it was demanded of the Lords spi-
" ritual there being, and the procurators of others,
" being absent, their advice and will in all these
" cases; which Lords, that is to say, the archbishops,
" bishops, and other prelates being in the said par-
" liament, severally examined, making protestations,
" that it is not their mind to deny nor affirm that
" the bishop of Rome may not excommunicate
" bishops, nor that he may make translation of pre-
" lates, after the law of holy church; answered
" and said: that if any executions of processes, made
" in the King's Court (as before) be made by any, and
" censures of excommunication to be made against
" any bishops of England, or any other of the King's
" liege people, for that they have made execution of

1393. Ch. II. "such commandments, and that if any executions of "such translations be made of any prelates of the "same realm, which prelates be very profitable and "necessary to our said Lord the King and to his "said realm, or that the sage people of his council, "without his assent and against his will, be removed "and carried out of the realm, so that the substance "and treasure of the realm may be consumed, that "the same is against the King and his crown, as it "is contained in the petition before named. And "likewise the same procurators, every one by him-"self examined upon the said matters, have answered "and said in the name, and for their lords, as the "said bishops have said and answered, and that the "said Lords spiritual will and ought to be with the "King in these cases, in lawfully maintaining of his "crown, and in all other cases touching his crown "and his regality, as they be bound by their alle-"giance. Whereupon our said Lord the King, by "the assent aforesaid, and at the request of his said "Commons, hath ordained and established, That if "any purchase or pursue, or cause to be purchased "or pursued, in the court of Rome or elsewhere, any "such translations, processes, and sentences of excom-"munications, bulls, instruments, or any other things "whatsoever, which touch the King, against him, "his crown, and his regality, or his realm, as is "aforesaid; and they which bring within the realm, "or them receive, or make thereof notification, or "any other execution whatsoever within the same "realm or without, that they, their notaries, pro-"curators, maintainers, abettors, fautors, and coun-"cillors, shall be put out of the king's protection, "and their lands and tenements, goods and chattels,

" forfeit to our Lord the King: and that they be A.D. 1393. 16 Rich. II.
" attached by their bodies, if they may be found,
" and brought before the king and his council, there
" to answer to the cases aforesaid, or that process
" be made against them, by *præmunire facias*, in
" manner as it is ordained in other statutes of pro-
" visors, and other which do sue in any other court
" in derogation of the regality of our Lord the King."

34. Something of the occasion, name, and use of this statute. The first is notoriously known, from the papal encroachments on the crown. No bishopric, abbathy, dignity, or rectory of value in England was likely to fall, but a successor in reversion was by the pope's provisions foreappointed for the same. To make sure work, rather than they would adventure to take the place at the first rebound, they would catch it before it light on the ground. This was imputed to the pope's abundance, yea, superfluity of care, *ne detur vacuum* in the church; and rather than a widow benefice should mourn itself to death, a second husband had his license for marriage before the former was deceased. But great parishes, where small the profit and numerous the people, and where indeed greatest care ought to be had of their souls, were passed by in the pope's bulls; his holiness making no provisions for those livings, which livings had no provisions for his holiness. The occasion of this statute.

35. Some will have it called *præmunire*, from fencing or fortifying the regal power from foreign assaults, as indeed this was one of the best bulwarks and sconces of sovereignty; others that *præmunire* signifieth the crown fortified before the making of this statute, as fixing no new force therein, but only Why called *præmunire*.

A. D. 1393. 16 Rich. II. declaring a precedent, and foregoing just right and due thereof. Others conceive the word *præmonere*, turned by corruption of barbarous transcribers, interpreters, and pronouncers into *præmunire*; others allege the figure of the effect for the cause, and the common proverb, *præmonitus præmunitus*. Most sure it is that *præmunire facias* are operative words, in the form of the writ grounded on the statute, which may give denomination to the whole.

Pope's covetousness odious to the clergy.

36. It may seem strange such a statute could pass in parliament, where almost sixty spiritual barons (bishops and abbots) voted according to papal interest; except any will say, that such who formerly had much of a pope in their bellies had now more of patriots in their breast, being weary of Rome's exactions. Indeed no man in place of power or profit loves to behold himself buried alive, by seeing his successor assigned unto him, which caused all clergymen to hate such superinductions, and many friends to the pope were foes to his proceedings therein.

The pope's letter against this statute.

37. This law angered all the veins in the heart of his holiness; the statute of mortmain put him into a sweat, but this into the fit of a fever. The former concerned him only mediately, in the abbeys his darlings; this touched him in his person; and how choleric he was will appear by the following letter, here inserted (though written some fifty years after) to make the story entire [m].

"Martinus Episcopus, servus servorum Dei, dilecto

[m] The original of this bill was in the study of sir Nicholas Bacon, lord chancellor, whence the archbishop of Armagh had this his copy, from which that of sir Robert Cotton's is derived.

" filio nobili viro Johanni, duci Bedford. salutem et A.D. 1393.
" apostolicam benedictionem. Quamvis dudum in 16 Rich. II.
" regno Angliæ, jurisdictio Romanæ Ecclesiæ, et
" libertas ecclesiastica fuerit oppressa, vigore illius
" *execrabilis statuti*, quod omni divinæ et humanæ
" rationi contrarium est: Tamen adhuc non fuit ad
" tantam violentiam prolapsum, ut in sedis aposto-
" licæ nuncios et legatos manus temere mitterentur,
" sicut novissime factum est in persona dilecti filii
" Johannis de Oisis palatii apostolici causarum
" auditoris, et in præfato regno nuntii, et collectoris
" nostri, quem audivimus ex hac sola causa, quod
" literas apostolicas nostro nomine præsentabat,
" fuisse per aliquos de ipso regno carceribus man-
" cipatum. Quæ injuria nobis et apostolicæ sedi
" illata, animum nostrum affecit admiratione, turba-
" tione, et molestia singulari: Miramur enim, stu-
" pescimus et dolemus, quod tam *fœdum et turpe*
" *facinus* in illo regno commissum sit, contra sedem
" B. Petri, et nuntios ejus, præsertim cum literæ
" illæ nostræ, nil aliud quam salutem animarum,
" honorem regni, et per omnia paternas et sanctas
" admonitiones continerent. Fuit enim semper etiam
" apud gentiles, qui nullam tenebant veræ fidei
" rationem inviolabile nomen nuntii; atque legati
" etiamsi ab hostibus mitterentur semper salvi, et
" hodie apud Saracenos et Turcos, a quibusdam tute
" destinantur legationes et literæ; etiamsi illis ad
" quos deferuntur molestæ sint et injuriosæ. Et
" nuncius noster, vir humanus et moderatus, et con-
" tinua conversatione notissimus in regno Angliæ,
" quod devotione fidei, et cultu divino se jactat
" omnes alias Christianas rationes superare turpiter
" captus est, nihil impium, nec hostile deferens, sed

A. D. 1393. 16 Rich. II. "literas salutares et justas. Sed revereantur ali-
"quando illi qui sic contumaciter et superbe Eccle-
"siam Dei contemnent, et sedis apostolicæ autho-
"ritatem, ne super ipsos eveniat justa punitio ex
"Christi judicio, qui eam instituit, et fundavit.
"Caveant ne tot cumulatis offensis Deum irritent,
"ad ultionem et tarditatem supplicii gravitate com-
"pensent. Non videbatur eis satis offendisse Deum
"statuta condendo contra vicarium ejus, contra
"Ecclesiam et Ecclesiæ caput, nisi pertinaciter per-
"severantes in malo proposito, in nuntium aposto-
"licum violentas manus injicerent? Quod non
"dubitamus tuæ Excellentiæ, quæ Ecclesiæ et regni
"honorem diligit, displicere, et certi sumus quod si
"fuisses in Anglia, pro tua naturali prudentia, et pro
"fide et devotione quam geres erga nos et Eccle-
"siam Dei, illos incurrere in hunc furorem nullatenus
"permisisses. Verum cum non solum ipsis qui hoc
"fecerunt, sed toti regno magna accederit ignominia,
"et dietim si perseverabit in errore, accessura sit
"major: generositatem tuam, in qua valde confide-
"mus, exhortamur et affectuose rogamus, ut circa
"hæc provideas, prout sapientiæ tuæ videbitur,
"honori nostro et Ecclesiæ, ac saluti regni conve-
"nire. Datum Romæ apud Sanctos Apostolos, VI.
"Kal. Junii Pontificatus nostri, anno 12^mo."

Give winners leave to laugh, and losers to speak, or else both will take leave to themselves; the less the pope could bite, the more he roared, and as it appears by his language, he was highly offended thereat. This penal statute as a rod was for many years laid upon the desk, or rather locked up in the cupboard. No great visible use being made thereof, until the reign of king Hen. VIII. whereof hereafter.

38. Since the Reformation, the professors of the common law have taken much advantage out of this statute, threatening therewith such as are active in the ecclesiastical jurisdictions, as if their dealings tended to be the disherison of the crown. A weapon wherewith they have rather flourished than struck, it being suspicious, that that appearing-sword is but all hilt, whose blade was never drawn out, as this charge hath never been driven home against them; but herein let us hearken to the learned judgment of sir Thomas Smith, secretary of state, who well knew the interest of his sovereign therein. A.D. 1393. 16 Rich. II. More scared than hurt.

39. "Because this court, which is called *curia* "*Christianitatis*, is yet taken as appeareth for an "extern and foreign court, and differeth from the "policy and manner of government of the realm, "and is another court (as appeareth by the act and "writ of *præmunire*) than *curia regis aut reginæ*; "yet at this present, this court as well as others "hath her force, power, authority, rule, and jurisdic- "tion from the royal majesty, and the crown of "England, and from no other foreign potentate or "power under God; which being granted (as indeed "it is true) it may now appear by some reason, "that the first statute of *præmunire*, whereof I have "spoken, hath now no place in England, seeing "there is no pleading *alibi quam in curia regis ac* "*reginæ*[n]." All I will add of this statute is this; that it hath had the hard hap not to be honoured with so many readings therein, as other statutes. Perhaps because not bringing in προστάλφιτα, in proportion to the pains which must be laid out Sir Thomas Smith's judgment herein.

[n] Commonwealth of Eng. iii. 11. [p. 269. ed. 1640.]

A D. 1395. 19 Rich. II.

thereon; and therefore I would invite some ingenious in our common law (and with such no doubt it aboundeth) to bestow their learned endeavours thereon, to their own honour, and advancement of the truth in so noble a subject.

The solemn form of an abjuration.

40. Many poor souls at this time were by fear or flattery moved to abjure the truth, and promise future conformity to the church of Rome. In proof whereof, let not the reader think much to peruse the following instruments; first, for the authenticness thereof, being truly copied out of the originals of the tower; secondly, because it contains some extraordinary formalities of abjuration. Lastly, because the four persons mentioned therein have escaped Mr. Foxe his observation, seeing no drag-net can be so carefully cast as to catch all things which come under it.

Memorand. quod primo die Septembris, anno regni regis Richardi Secundi post conquestum decimonono Willielmus Dynet, Nicholaus Taillour, Nicholaus Poncher, et Willielmus Steynour de Notyngham, in cancellaria ipsius regis personaliter constituti sacramentum divisim prestiterunt sub eo qui sequitur tenore[o].

I WILLYAM DYNET, befor yhow worschipefull fader and lorde archebisshope of Yhorke, and yhour clergie with my free wyll and full avysede swere to Gode and to all his Seyntes upon this holy Gospells

[o] Ex Rotulo Clausar. de anno regni regis decimo nono Richardi secundi membrana 18. [m. dorso. Collated with the original but the membrane has been so much stained with gall as to be in many parts completely illegible.]

yat fro this day forthwarde I shall worshipe ymages withe preying and offeryng wn to hem in the worschepe of the seintes y^t^ yey be made after. And also I shal never-mor despyse pygremage ne states of holy Chyrche, in no degree. And also I shalle be buxum to ye lawes of holy chirche and to yhowe as myn archebysshope and to myn oyer ordinares and curates and kepe yo lawes upon my power and meynten hem. And also I shalle never more meynten, ne techen, ne defenden errours, conclusions, ne techynges of ye Lollardes, ne swyche conclusions and techynges that men clepyth Lollardes doctryn, ne I shalle her bokes, ne swyche bokes ne hem or any suspect or diffamede of Lolardery resceyve, or company withall wyttyngly or defende in yo matters, and yf I knowe ony swiche, I shall, wyth all the haste that y may, do yhowe or els your ner officers to wyten, and of her bokes. And allso I shall excite and stirre all you to goode doctryn yat I have hinderd wythe myn doctryn up my power, and also I shall stonde to your declaracion wych es heresy or errour and do therafter. And also what penance yhe wolle for yat I have don for meyntenyng of this false doctryn in mynd mee and I shall fulfill it, and I submit me yer to up my power, and also I shall make no othir glose of this my oth bot as ye wordes stonde, and if it be so that I com agayn or do agayn this oath or ony party thereof I yhelde me here cowpable as an heretyke and to be punyshed be ye lawe as an heretyke, and to forfeit all my godes to the kynges will withowten any othir processe of lawe, and yerto I require ye notarie to make of all this, ye whych is my will, an instrument agayns me. A. D. 1395. 19 Rich. II.

A.D. 1395. 19 Rich. II. *Et ex habundanti idem Will. Dynet eodem die voluit et recognovit quod omnia bona et catalla sua mobilia nobis sint forisfacta in casu quo ipse juramentum prædictum seu aliqua in eodem juramento contenta de cetero contravenerit ullo modo.*

Take it faults and all.

41. We have here exemplified this abjuration just according to the originals, with all the faults and pseudography thereof. For I remember in my time, an under-clerk at court, threatened to be called before the green-cloth for an innovation from former bills, though only writing *Sinapi* with an *S*, contrary to the common custom of the clerks of the kitchen, formerly writing of it with a *C*, so wedded are some men to old orders, and so dangerous in their judgment is the least deviation from them.

Some observations on this abjuration.

42. The archbishop of York mentioned therein was Thomas Arundel, then chancellor of England, and in all probability this instrument was dated at York. For I find that at this very time Thomas Arundel, to humble the Londoners (then reputed disaffected to the king) removed the terms and courts to York, where they continued for some short time, and then returned to their ancient course[p]. Whereas he is enjoined point-blank to worship images, it seemeth that the modern nice distinction of worshipping of saints in images, was not yet in fashion. It appeareth herein that relapse after abjuration was not as yet (as afterwards) punishable with death, but only with forfeiture of goods to the crown.

The death of John de Trevysa.

43. This year a godly, learned, and aged servant of God ended his days, viz. John de Trevysa, a gen-

[p] Godwin De Præsul. Angl. [p. 688.]

tleman of an ancient family[q] (bearing *gules*, a garb, or) born at Crocadon in Cornwall, a secular priest, and vicar of Berkeley; a painful and faithful translator of many and great books into English, as Policronicon, written by Ranulphus of Chester, Bartholomæus *De rerum proprietatibus*, &c. But his masterpiece was the translating of the Old and New Testament, justifying his act herein by the example of Bede, who turned the Gospel of St. John in English. A.D. 1395. 19 Rich. II.

44. I know not which more to admire, his ability that he could, his courage that he durst, or his industry that he did perform so difficult and dangerous a task, having no other commission than the command of his patron, Thomas lord Berkeley[r]. Which lord (as the said Trevysa observeth[s]) had the Apocalypse in Latin and French (then generally understood by the better sort as well as English) written on the roof and walls of his chapel at Berkeley; and which not long since, (viz. anno 1622.) so remained, as not much defaced. Whereby we may observe, that midnight being past, some early risers even then began to strike fire and enlighten themselves from the scriptures. Who translated the Bible into English.

45. It may seem a miracle that the bishops being thus busy in persecuting God's servants, and Trevysa Yet escaped persecution.

[q] Carew's Survey of Cornwall, p. 114. ed. 1602.

[r] Balæus de Script. Angl. vii. §. 18.

[s] Polycronycon, ii. ed. 1482. or 1527, translated by Trevysa. [At the end of Trevysa's translation, which was continued by Caxton, the following lines are subjoined: "God "be thanked of all his deeds; "this translation is ended on "a Thursday the eighteenth "day of April, the year of "our Lord a thousand three "hundred and fifty-seven; the "xxxi year of king Edward "the third after the conquest "of England, the year of my "lord's age, sir Thomas lord "of Berkley, that made me "make this translation, five "and thirty." f. 389—316.]

A.D. 1395. 19 Rich. II. so obnoxious to their fury for this translation, that he lived and died without any molestation. Yet was he a known enemy to monkery, witness that (among many other) of his speeches, that he had read how "Christ had sent apostles and priests into "the world, but never any monks or begging friars[t]." But whether it was out of reverence to his own aged gravity, or respect to his patron's greatness, he died full of honour, quiet, and age, little less than ninety years old. For,

1. He ended his translation of Polycronicon (as appeareth by the conclusion thereof) the 29th of Edward the Third, when he cannot be presumed less than 30 years of age.

2. He added to the end thereof, fifty (some say more) years of his own historical observations[u].

Thus as he gave a garb or wheat-sheaf for his arms; so, to use the prophet's expression, *the Lord gathered him as a sheaf into the floor*[x], even full ripe and ready for the same.

As did his contemporary Geoffry Chaucer.

46. We may couple with him his contemporary, Geoffry Chaucer, born (some say) in Berkshire, others in Oxfordshire, most and truest in London[y]. If the Grecian Homer had seven, let our English have three places contest for his nativity. Our Homer (I say) only herein he differed;

Mæonides nullas ipse reliquit opes:

Homer himself did leave no pelf.

[t] Bale, ib.

[u] Pitzeus in vita, p. 567.

[x] Micah iv. 12.

[y] [He was born in the year 1328, and died Oct. 25, 1400, according to some inscription on his tomb-stone: and Tyrwhitt infers from a passage in his poems that he was born at London. Pref. to Chaucer's Works, p. xvii. Oxf. 1798.]

whereas our Chaucer left behind him a rich and worshipful estate. A.D. 1399. 23 Rich. II.

47. His father was a vintner in London; and I have heard his arms quarelled at, being *argent* and *gules* strangely contrived, and hard to be blazoned. Some more wits have made it the dashing of white and red wine (the parents of our ordinary claret) as nicking his father's profession. But were Chaucer alive, he would justify his own arms in the face of all his opposers, being not so devoted to the muses, but he was also a son of Mars. He was the prince of English poets; married the daughter of Pain Roëc, king of armes in France, and sister to the wife of John of Gaunt, king of Castile. His parentage and arms.

48. He was a great refiner and illuminer of our English tongue, (and if he left it so bad, how much worse did he find it?) witness Leland thus praising him[z]: He refined our English tongue.

Prædicat Aligerum merito Florentia Dantem,
Italia et numeros tota Petrarche tuos.
Anglia Chaucerum veneratur nostra poetam,
Cui veneres debet patria lingua suas.

Of Alger Dante, Florence doth justly boast,
Of Petrarch brags all the Italian coast.
England doth poet Chaucer reverence,
To whom our language owes its eloquence.

Indeed Verstegan, a learned antiquary[a], condemns him for spoiling the purity of the English tongue, by the mixture of so many French and Latin words. But he who mingles wine with water, though he

[z] [De Script. in Vita, p. 422.]

[a] In his Restitution of decayed Intelligence, p. 203.

A. D. 1399. 23 Rich. II. destroys the nature of water, improves the quality thereof[b].

A great enemy to friars.

49. I find this Chaucer fined in the temple two shillings, for striking a Franciscan friar in Fleet-street, and it seems his hands ever after itched to be revenged, and have his pennyworths out of them, so tickling religious orders with his tales, and yet so pinching them with his truths, that friars in reading his books know not how to dispose their faces betwixt crying and laughing. He lies buried in the south isle of St. Peter's, Westminster, and since hath got the company of Spencer and Drayton (a pair-royal of poets) enough almost to make passengers feet to move metrically, who go over the place where so much poetical dust is interred.

A short quiet in the church.

50. Since the abjuration last exemplified, we meet in this king's reign no more persecution from the bishops. We impute this not to their pity, but other employment, now busy in making their applications to the new king on the change of government, king Richard being now deposed.

The character of king Richard the Second.

51. He was one of a goodly person, of a nature neither good nor bad, but according to his company, which commonly were of the more vicious. His infancy was educated under several lord protectors successively, under whom his intellectuals thrived, as babes battle with many nurses, commonly the worse for the change. At last he grew up to full age and empty mind, judicious only in pleasure, giving himself over to all licentiousness.

Conspired against by Henry the fourth.

52. As king Richard was too weak to govern[c],

[b] [Against this charge he has been ably defended by Tyrwhitt, in his Essay on Chaucer.]

[c] [His chief weakness was the imperiousness of the duke of Lancaster.]

so Henry duke of Lancaster, his cousin-german was too wilful to be governed. Taking advantage therefore of the king's absence in Ireland, he combined with other of the discontented nobility, and draws up articles against him, some true, some false, some both; as wherein truth brought the matter, and malice made the measure. Many misdemeanours (mo misfortunes) are laid to his charge. Murdering the nobility, advancing of worthless minions, sale of justice, oppression of all people with unconscionable taxations. For such princes as carry a fork in one hand must bear a rake in the other; and must covetously scrape to maintain what they causelessly scatter. A. D. 1399. 23 Rich. II.

53. Looseness brings men into straits at last, as king Richard may be an instance thereof. Returning into England, he is reduced to this doleful dilemma; either voluntarily, by resigning, to depose himself; or violently, by detrusion, to be deposed by others. His misery and his enemies' ambition admit of no expedient. Yea, in all this act his little judgment stood only a looker-on, whilst his fear did what was to be done, directed by the force of others. In hopes of life he solemnly resigneth the crown, but all in vain. For cruel thieves seldom rob but they also kill; and king Henry his successor could not meet with a soft pillow, so long as the other wore a warm head. Whereupon, not long after, king Richard was barbarously murdered at Pomfret castle. But of these transactions the reader may satisfy himself at large out of our civil historians. And resigneth the crown.

54. Only we will add that the clergy were the first that led this dance of disloyalty. Thomas Arundel, now archbishop of Canterbury, in the room The baseness of the disloyal clergy.

A.D. 1399. 23 Rich. II. of William Courtenay deceased, made a sermon on Samuel's words, *vir dominabitur populo*[d]. He shewed himself a satirist in the former, a parasite in the later part of his sermon, a traitor in both. He aggravated the childish weakness of king Richard, and his inability to govern; magnifying the parts and perfections of Henry duke of Lancaster. But by the archbishop's leave, grant Richard either deservedly deposed, or naturally dead without issue, the right to the crown lay not in this Henry, but in Roger Mortimer, earl of March, descended by his mother Philippa from Lionel, duke of Clarence, elder son to Edward the third. This the archbishop did willingly conceal. Thus in all state alterations, be they never so bad, the pulpit will be of the same wood with the council-board. And thus ambitious clergymen abuse the silver trumpets of the sanctuary; who, reversing them, and putting the wrong end into their mouths, make what was appointed to sound religion to signify rebellion[e].

The courageous conscience of the bishop of Carlisle.

55. But whilst all other churches in England rung congratulatory peals to king Henry his happiness, one jarring bell almost marred the melody of all the rest, even Thomas Merkes, bishop of Carlisle. For when the lords in parliament, not content to depose king Richard, were devising more mischief against him, up steps the aforesaid bishop, formerly chaplain to the king, and expresseth himself as followeth:

"There is no man present worthy to pass his

[d] [1 Sam. ix. 17. See an abstract of this sermon in Knighton, p. 2758.]

[e] [The records pertaining to his renunciation of the crown are printed in Twysden x. Script. p. 2743.]

" sentence on so great a king, as to whom they have A.D. 1399. 23 Rich. II.
" obeyed as their lawful prince full two and twenty
" years. This is the part of traitors, cut-throats, and
" thieves. None is so wicked, none so vile, who,
" though he be charged with a manifest crime, we
" should think to condemn before we heard him.
" And you, do ye account it equal to pass sentence
" on a king anointed and crowned, giving him no
" leave to defend himself? How unjust is this! But
" let us consider the matter itself. I say, nay openly
" affirm, that Henry duke of Lancaster (whom you
" are pleased to call your king) hath most unjustly
" spoiled Richard, as well his sovereign as ours, of
" his kingdom[f]."

More would he have spoken, when the lord marshal enjoined him silence, for speaking too much truth in so dangerous a time. Since, it seems some historians have made up what more he would have said, spinning these his heads into a very large oration, though tedious to none, save those of the Lancastrian faction.

56. Here, if ever, did the proverb take effect, Innocency the best armour.
" Truth may be blamed, but cannot be shamed," for although the rest of the bishops, being guilty themselves, condemned him, as discovering more convent-devotion (who originally was a monk of Westminster) than court-discretion, in dissenting from his brethren; yet generally he was beheld as *loyalty's confessor*, speaking what became his calling in discharge of his conscience. Yea, for the present, such the reverence to his integrity, no punishment was imposed upon him.

57. Merkes was conceived in the judgment of Activity will be tampering.

[f] Bishop Godwin, De Præsul. Angl. [p. 766.]

A. D. 1400. 1 Hen. IV.

most moderate men, abundantly to have satisfied his conscience with his speech in parliament. But how hard is it to stop an active soul in its full speed? He thought himself bound not only to speak but do, yea, and suffer too (if called thereunto) for his sovereign. This moved him to engage with Henry Hotspur and other discontented lords, against king Henry, on whose defeat this bishop was taken prisoner, and judicially arraigned for high treason.

A bishop not triable by his peers.

58. This is one of the clearest distinguishing characters betwixt the temporal and spiritual lords, that the former are to be tried *per pares*, by their peers, being barons of the realm; the latter are by law and custom allowed a trial only by a jury of able and substantial persons[g]. Such men found bishop Merkes guilty of treason, for which he was condemned and sent prisoner to St. Alban's.

A seasonable expedient.

59. The king would gladly have had a fair riddance of this bishop, whom he could not with credit keep here, nor send hence. As to deprive him of life it was dangerous in those days, when some sacredness was believed inherent in episcopal persons. Here his holiness helped the king with an handsome expedient to salve all matters, by removing Merkes to be bishop of Samos in Grecia[h]. I find three Grecian islands of the same name, and a critic[i] complaineth they are often confounded. The best is, it is not much material of which of them Merkes was made bishop, having only a title (to starve in state) without a penny profit thereby. But before his translation was completed, he was translated into another world.

[g] Mr. Selden, in a late small treatise, the Priviledges of the Baronage, [p. 149. ed. 1642.]

[h] Godwin, ib.

[i] Carolus Stephanus in dictionario poetico.

SECT. II.

TO

SIR GERARD NAPIER,

OF DORSETSHIRE, BART.[a]

I have read that a statute was made to retrench the number of great mens' keeping their retainers, in the reign of king Henry VII.; and that politicly done in those mutinous times, to prevent commotions, lest some popular person should raise a little army, under the covert of his great attendance.

[a] [Arms: argent, a saltier engrailed sable, between four roses gules. Sir Gerard Napier, of Middlemarsh Hall, in the county of Dorset, was created a baronet by king Charles I., June 25, 1641. He married Margaret, daughter and co-heir of John Colles, of Barton, in the county of Somerset, esq., by whom he had a son and heir, Nathaniel, who succeeded him in the baronetcy. Sir Gerard died 14th May, 1673. He was (says Mr. Hutchins, in his History of Dorsetshire, iv. p. 286, in his account of this family) a member for Wareham, 3 Charles I., and for Melcomb Regis, 16 Charles I. In his loyalty to the king's service he sacrificed 10,621*l.*; his estates in the county of Kent were sequestered, and he was disabled from representing Melcomb, and declared a delinquent. When the king was in exile, sir Gerard sent him five hundred broad pieces by sir Gilbert Talbot, who had the meanness and dishonesty to detain them; for which sir Gerard, after the Restoration, arrested him, but on the king's mediation forgave him. Notwithstanding his losses, he greatly augmented his paternal estate, and had the honour of entertaining the king and queen at More Critchell when the court removed to Salisbury in the plague of 1665.]

A law improved to rigour, though certainly, as all other penal statutes, intended but to terror; insomuch that the earl of Oxford, more meriting of king Henry VII. than any other subject, was even delivered to the king's attorney[b], *and, as report saith, fined fifteen thousand marks for exceeding the proportion legally allowed.*

I confess we live in as dangerous days, and affording as great jealousies as those; but I have cause to be right glad (as deeply concerned therein) that though a statute hath forbidden many to depend on one, none hath prohibited one to depend on many patrons; but any author of a book may multiply them sans number, as driving on no hurtful design, but only the protection of his own endeavours.

On this account I tender these my labours unto you, knowing the very name of Napier acceptable to all scholars, ever since the learned laird of Marchistowne[c] *(no stranger to your blood, as I am informed) by his logarithms contracted the pains, and so by consequence prolonged the time and life, of all employed in numeration.*

A.D. 1400. 1 Hen. IV.

King Henry, bloody against poor Christians, yet asserts his regal power against the pope's encroachments.

ING Henry, being conscious that he had got and did keep the crown by a bad title, counted it his wisest way to comply with the clergy, whose present power was not only useful, but needful for him. To gain their favour, he lately enacted bloody laws for the extirpation of poor Christians, under the false notion of heretics, condemning them to be burnt[d], a torment unheard of in such cases till that time; and yet it appeareth that the pope, in this age, was not possessed of so full power in England, whatsoever the catholics pretend, but that

[b] Lord Verulam, in his Life, p. 211.

[c] [Who was himself taken prisoner, and his son fell in battle at Alderne, May 4, 1645, in defence of the loyal cause. See Lloyd's Mem. p. 640.]

[d] Statute 2 of Hen. IV. c. 15.

this politic prince kept the reins, though loose, in his own hand. For in this time it was resolved that the pope's collector, though he had the pope's bull for that purpose, had no jurisdiction within this realm, and that the archbishops and bishops of England were the spiritual judges in the king's behalf[e]; as it was also enacted, if any person of religion obtained of the bishop of Rome to be exempt from obedience, regular or ordinary, he was in a præmunire[f]. Yea, this very statute, which gave power to a bishop in his diocese to condemn an heretic, plainly proveth that the king, by consent of parliament, directed the proceedings of the Ecclesiastical Court in cases of heresy; so that the pope, even in matters of spiritual cognizance, had no power over the lives of English subjects. A. D. 1400. 2 Hen. IV.

2. The first on whom this cruel law was handselled was William Sautre[g], formerly parish priest of St. Margaret, in the town of Lynne, but since of St. Osith, in the city of London[h]. This was he whose faith fought the first duel with fire itself, and overcame it. Abel was the first martyr of men, St. Stephen the first of Christian men; St. Alban the first of British Christians, and this Sautre the first of English Protestants, as by prolepsis I may term them. Scriveners use with gaudy flourishes to deck and garnish the initial characters of copies, which superfluous pains may be spared by us in adorning this leading letter in the pattern of patience, seeing it is conspicuous enough in itself, dyed red with its own blood. Some charge this William Sautre, the protomartyr of English protestants.

[e] 2 Hen. IV. c. 4.
[f] 2 Hen. IV. c. 3.
[g] [Otherwise called Chatris.]
[h] [For an account of the proceedings against Sautre, see Foxe's Martyrology, I. p. 671.]

A.D. 1400. 2 Hen. IV. Sautre with fear and fickleness, because formerly he had abjured those articles (for which afterwards he died) before the bishop of Norwich; but let those who severely censure him for once denying the truth, and do know who it was that denied his Master thrice, take heed they do not as bad a deed more than four times themselves. May Sautre's final constancy be as surely practised by men as his former cowardliness no doubt is pardoned by God! Eight errors were laid to his charge, in order as followeth[i]:

i. *Imprimis*, He saith that he will not worship the cross on which Christ suffered, but only Christ that suffered upon the cross.

ii. *Item*, That he would sooner worship a temporal king than the foresaid wooden cross.

iii. *Item*, That he would rather worship the bodies of the saints than the very cross of Christ, on which he hung, if it were before him.

iv. *Item*, That he would rather worship a man truly contrite than the cross of Christ.

v. *Item*, That he is bound rather to worship a man that is predestinate than an angel of God.

vi. *Item*, That if any man would visit the monuments of Peter and Paul, or go on pilgrimage to the tomb of St. Thomas, or else any whither else, for the obtaining of any temporal benefit, he is not bound to keep his vow, but he may distribute the expenses of his vow upon the alms of the poor.

vii. *Item*, That every priest and deacon is more bound to preach the word of God than to say the canonical hours.

[i] [Foxe, ib. p. 671.]

viii. *Item*, That after the pronouncing of the sacramental words of the body of Christ the bread remaineth of the same nature that it was before, neither doth it cease to be bread. A.D. 1400. 2 Hen. IV.

3. These were the opinions wherewith Sautre is charged in their own registers, which, if read with that favour which not charity but justice allows of course to human frailty, will be found not so heinous as to deserve fire and fagot, seeing his expressions are rather indiscreet than his positions damnable. But Thomas Arundel, archbishop of Canterbury, before whom Sautre was convented, in the convocation at St. Paul's, in London, principally pinched him with the last, about transubstantiation in the sacrament. Thus their cruelty made God's table a snare to his servants; when their other nets broke, this held; what they pretended a sacrifice for the living and dead proved, indeed, the cause of the sacrificing of many innocents; and cavils about the corporal presence was the most compendious way to dispatch them: for the denial whereof the aforesaid archbishop solemnly pronounced Sautre an heretic convicted. Thomas Arundel, archbishop of Canterbury, solemnly pronounceth Sautre an heretic convicted.

4. Here happened a passage in Sautre which I must not omit, which either I do not understand or cannot approve in him; for, being demanded whether or no he had formerly abjured these opinions, he denied the same, whereas his formal abjuration of them, the last year, before the bishop of Norwich, was produced in presence: an action utterly inconsistent with Christian sincerity, to deny his own deed, except any will say that he was not bound to accuse himself, and to confess in that court what he had done elsewhere, to his own prejudice. Thus Sautre's indiscreet denying of himself.

A.D. 1400. 2 Hen. IV.

offenders, which formerly have confessed their fact in their private examinations before a justice of peace, yet plead not guilty when they are brought before the assizes, accounting themselves innocent in that court, till, by the verdict of the jury, they are proved otherwise. However I am rather inclined to suspect my ignorance than condemn his innocence, conceiving there is more on his side than appeareth in his behalf.

Sautre, by a second sentence, is adjudged to be degraded and deposed.

5. The reader, I presume, will pardon our largeness (which we will recompense with brevity in the rest) in relating the proceedings against this first martyr, who being, as I may say, the eldest and the heir in our history, may justly challenge a double portion thereof. Yea, the archbishop, who in his condemnation did not follow, but make a precedent therein, was very punctual and ceremonious in his proceedings, that he might set the fairer copy for the direction of posterity, and that the formality of his exemplary justice might, for the terror of others, take the deeper impression in all that did see it, or should hear thereof. And now, his former abjuration plainly appearing, Arundel, by a second sentence, adjudged him refallen into heresy, and incorrigible, and therefore to be degraded and deposed.

The order of his degradation.

6. For lest priesthood should suffer in the person of Sautre, (and all the clergy present, out of a religious sympathy, were tender of the honour of their own profession,) he was there solemnly degraded, in order as followeth [k]:

[k] [See Foxe, ib. p. 674.]

From the order of	i. Priest.	By taking from him	i. The paten, chalice, and plucking the casule [and vestment] from his back. A. D. 1400. 2 Hen. IV.
	ii. Deacon.		ii. The New Testament and the stole.
	iii. Sub-deacon.		iii. The albe and the maniple.
	iv. Acolyte.		iv. The candlestick, taper, urceolum.
	v. Exorcist.		v. The book of conjurations.
	vi. Reader.		vi. The book of [Divine Lections, that is, the book of the] church legend.
	vii. Sexton.		vii. The keys of the church-door, and surplice[1].

How many steps are required to climb up to the top of popish priesthood! but, as when a building is taken down, one would little think so much timber and stone had concurred thereunto, until he sees the several parcels thereof lie in ruinous heaps, so it is almost incredible how many trinkets must be had to complete a priest, but that here we behold them solemnly taken asunder in Sautre's degrada-

[1] [At the conclusion, this part of the sentence was pronounced against him: "Also, "in token of this degradation "and deposition, here actually "we have caused thy crown "and ecclesiastical tonsure in "our presence to be razed "away and utterly to be abo- "lished, like unto the form of "a secular layman; and here "we do put upon the head of "thee, the foresaid William, "the cap of a lay secular per- "son." Foxe, ib. p. 675.]

A.D. 1400. 2 Hen. IV.

tion. And now he no longer priest, but plain layman, with the tonsure on his crown razed away, was delivered to the secular power, with this compliment, worth the noting: beseeching the secular court that they would receive favourably the said William unto them thus recommitted. But who can excuse their double dealing herein from deep hypocrisy, seeing the bishops at the same time, for all their fair language, ceased not to call upon the king to bring him to speedy execution.

The king's warrant for the burning of Sautre.

7. Hereupon the king in parliament issued out his warrant to the mayor and sheriffs of London, that the said William, being in their custody, should be brought forth into some public or open place, within the liberty of the city, and there really to be burned, to the great horror of his offence, and manifest example of other Christians [m]; which was performed accordingly. Thus died this worthy man; and though we be as far from adoring his relics as such adoration is from true religion, yet we cannot but be sensible of the value of such a saint; nor can we mention his memory without paying an honourable respect thereunto. His death struck a terror into those of his party who hereafter were glad to enjoy their conscience in private, without public professing the same; so that now the ship of Christ, tossed with the tempest of persecution, had all her sails took down, yea, her mast cut close to the deck, and, without making any visible shew, was fain to lie poor and private till this storm was over-passed; the archbishop Arundel being most

[m] Foxe, Martyr. I. p. 675, out of whom the effect of this story is taken.

furious and cruel in detecting and suppressing all suspected of piety. A.D. 1400. 2 Hen. IV.

8. Synods of the clergy were never so frequent before or since, as in his time, when scarce a year escaped without a synod called or continued therein. Most of these were but ecclesiastical meetings for secular money. Hereupon a covetous, ignorant priest, guilty of no Greek, made this derivation of the word *synodus* (far fetched in itself, but coming close to him) from *crumena sine nodo*, because at such assemblies the purse ought ever to be open, without knots tied thereon, ready to disburse such such sums as should be demanded. Indeed the clergy now contributed much money to the king, having learned the maxim commended in the comedian, *Pecuniam in loco negligere maxumum interdum est lucrum*[n]; and perceiving on what ticklish terms their state stood, were forced to part with a great proportion thereof to secure the rest, the parliament now shrewdly pushing at their temporal possessions[o]; for although, in the first year of king Henry, the earls of Northumberland and Westmoreland came from him to the clergy with a compli- A surfeit of synods in archbishop Arundel's time.

[n] Terent. Adelph.

[o] Vide infra in Hist. of Abbeys, ii. cap. 1. ["In a parliament holden at London in the Lent season, 1410, the knights and burgesses presented to the king a bill in this form: 'To the most excellent lord the king, and all the nobles in this present parliament assembled, your faithful commons humbly do shew that our sovereign lord the king may have the temporal possessions and lands which by the bishops, abbots, and priors are proudly spent and wasted in this realm, which should suffice to find 150 earls and 1500 knights, 6200 esquires and 100 hospitals more than now be,' &c. But when they went about to declare out of what places those great sums were to be levied whereof the foresaid states should be endowed, they wanted in their account; wherefore the king commanded them that from thenceforth they should not presume to move any such matter." Stow's Chron. p. 338.]

A. D. 1400. 2 Hen. IV. ment that the king only desired their prayers and none of their money, (kingdoms have their honey-moon when new princes are married unto them,) yet how much afterwards he received from them the ensuing draught of synods summoned in his days doth present [p].

	Place.	*President.*	*Preacher.*	*Text.*	*Money granted to the King.*	*The other Acts thereof.*
A. D. 1399.	1. St. Paul's, in London.	The prior and chapter of Canterbury, in the archbishop's absence.	William, bishop of Rochester.	Cor meum diligit principes Israel.	Nothing at this time but the clergy's prayers required [q].	The king, at the request of the universities, promised to take order with the pope's provisions and provensions, that so learned men might be advanced. St. George his day made holy.
A. D. 1400.	2. Ibid.	Thomas Arundel.			A tenth and half; for a single tenth was first proffered him, and he refused it [r].	Nothing else of moment passed, save Sautre's condemnation.

[p] [Parker,] Antiq. Brit. p. 409, et Harpsfield, Hist. Ang. p. 618, out of whom the following table of synods is composed, [and from whom they are copied by Harduin, Concil. vii. 1925. See also Wilkins' Concilia, III. p. 238 sq.]

[q] [See Wake's State of the Church, p. 337. "In the last "convocation (meaning this of "1399) the king demanded no "money of the clergy; but if "the chronicle of St. Alban's "may be relied upon, it was "not long before he did it. "He sent out supplicatory "letters to all the clergy for a "subsidy equal to one tenth; "and it being his first request, "the clergy thought it neces-"sary to comply with it." Wake, ib. p. 338.]

[r] ["About the same time "that this parliament met, the "archbishop of Canterbury "summoned his provincial sy-"nod to assemble at London "for church affairs, and which "therefore I look upon to have "been properly an ecclesias-"tical council, not a state con-"vocation. (Register, Arun-"dell, p. ii. f. 178.) In the "mandate for summoning it "we find nothing of the affairs "of the king and kingdom, "but all turns upon the foot

Place.	*President.*	*Preacher.*	*Text.*	*Money granted to the King.*	*The other Acts thereof.*	A. D. 1400. 2 Hen. IV.
3. St. Paul's, in London.	Thomas Arundel.			At the instance of the earl of Somerset and lord Ross the treasurer, a tenth was granted.	The clergy renewed their petition of right to the king, that they should not be proceeded against by temporal judges, nor forced to sell their goods for provision for the king's court. No answer appears.	A. D. 1402.
4. Ibid.	Henry, bishop of Lincoln, the archbishop being absent in an embassy.			A tenth towards the king's charges in suppressing the late rebels.	Constituted that the obsequies of every English bishop deceased should be celebrated in all the cathedrals of the kingdom.	A. D. 1404.

" of church business. At the " opening of the synod the " archbishop, expounding the " causes and affairs for which " he celebrated his provincial " council, commonly called a " convocation of the clergy, " mentions these two: *Pro* " *reformatione defectuum; ac* " *præcipue pro inquisitione* " *hæreticorum.* (Arundell, ib. " 179.) Accordingly, upon " these two the chief business " of the council terminated: " first, Sautre was sentenced " and degraded, (Reg. Arun- " dell, ib. 181,) and by order " of the king, at the advice of " the lay lords in parliament, " was burnt. (Rot. Parlia- " ment. 2 Hen. IV. num. 29.) " Then others were convened " and tried for heresy; after " that some constitutions were " made in matters relating to " the church, against the vio- " laters of churches, about the " habits of clerks, &c. (Regist. " Eccles. Cant. M.) There " was, indeed, a tenth and half " given to the king; but that " we know was often done in " church councils as well as in " state convocations. In short, " the assembly was held by the " sole authority of the arch- " bishop, and in the other pro- " vince no such meeting at all " appears to have been had. For " all which reasons I look upon " this synod to have been a " proper ecclesiastical council, " held only for the convenience " of bishops and prelates, and " the better dispatch of the " church's affairs at the same " time that the parliament " met." Wake's State of the Church, p. 339.]

A. D. 1400. 2 Hen. IV.	*Place.*	*President.*	*Preacher.*	*Text.*	*Money granted to the King.*	*The other Acts thereof.*
A. D. 1405.	5. St. Paul's, in London.	Thomas Arundel.			A tenth, when the laity in parliament gave nothing.	Nothing of consequence.
A. D. 1406.	6. Ibid.	Henry Beaufort, bishop of Winchester, the archbishop being absent.	Thomas, bishop of Carlisle.	Magister adest, et vocat te.	A tenth.	Nothing of moment.
A. D. 1408.	7. Ibid.	Thomas Arundel.	John, monk of St. Augustine, in Canterbury.	Faciat unusquisque opus suum.		This synod was principally employed in suppressing of schism, and the following synod in the same year to the same purpose.
	8. Ibid.	Idem.	John Botel, general of the Franciscans.	Vos vocati estis in uno corpore.		
A. D. 1411.	9. Ibid.	Henry, bishop of Winchester, the archbishop being abroad in an embassy.	John Langdon, monk of Canterbury.	Stellæ dederunt lumen.	A tenth, and a subsidy granted, saith Matthew Parker [s], but others say [t] the clergy excused themselves as drained dry with former payments. Also the pope's agent, progging for money, was denied it.	Little else, save some endeavours against Wicliffe's opinions.
A. D. 1412.	10. Ibid.	Thomas Arundel.	John Godmersham, monk of Canterbury.	Diligite lumen sapientiæ omnes qui præestis.	A tenth. The clergy complained to the king of their grievances, but received no redress.	The pope's rents sequestered into the king's hands during the schism betwixt Gregory the Twelfth and Benedict.

[s] Antiq. Brit. p. 410. [t] Harpsfield, Eccl. Ang. p. 619.

We will not avouch these all the conventions of the clergy in this king's reign, (who had many subordinate meetings in reference to their own occasions,) but these of most public concernment. Know this also, that it was a great invitation (not to say an enforcement) to make them the more bountiful in their contributions to the king, because their leaders were suspicious of a design now first set on foot, in opposition to all religious houses, (as then termed,) to essay their overthrow; which project now, as a pioneer, only wrought beneath ground, yet not so insensibly but that the church statists got a discovery thereof, and in prevention were very satisfying to the king's pecuniary desires; insomuch that it was in effect but ask and have, such their compliance to all purposes and intents, the rather because this king had appeared so zealous to arm the bishops with terrible laws against the poor naked Lollards, as then they were nicknamed. A. D. 1412. 13 Hen. IV.

9. Now we pass from the convocation to the parliament, only to meddle with church matters therein; desiring the reader to dispense in the margin with a new chronology of this king's reign; assuring him that whatsoever is written is taken out of the authentic records of the parliament in the Tower. A new chronology.

10. It was moved in parliament, that no Welchman, bishop or other, be justice, chamberlain, chancellor, treasurer, sheriff, constable of a castle, receiver, escheator, coroner, or chief forester, or other officer whatsoever, or keeper of records[t], or lieutenant in the said offices, in any part of Wales, or of council to any English lord, notwithstanding any patent made to the contrary: *Cum clausula non obstante, licet Wallicus natus.* A severe motion against the Welch.

[t] Ex Rot. Par. in tur. Lond. in hoc anno.

A. D. 1412. 14 Hen. IV.

Moderation by the king

11. It was answered, that the king willeth it except the bishops: and for them and others, which he hath found good and loyal lieges towards him, our said lord the king will be advised by the advice of his counsel.

The cause of his anger.

12. Such as wonder why the parliament was so incensed against the Welch (seeing Henry prince of Wales was their own countryman born at Monmouth) may consider, how now, or very lately, Owen Glendowre, a Welch robber, (advanced by the multitude of his followers into the reputation of a general) had made much spoil in Wales. Now commendable was the king's charity, who would not return a national mischief for a personal injury, seeing no man can choose the place of his nativity, though he may bemoan and hate the bad practices of his own nation.

The quaternion of Welch bishops who and what at this time.

13. The king's courteous exception for the Welch bishops putteth us upon a necessary inquiry, who and what they were, placed in sees at this time.

St. David's.	*Llandaff.*	*Bangor.*	*St. Asaph.*
GUIDO DE MONA. Or of Anglesey [u]. A true Briton by birth, witnessed by his name. He was at the present lord treasurer of England [v]. In whom the king much confided, though T. Walsingham be pleased to dash his memory, that he was the cause of much mischief [w].	THOMAS PEVEREELL. His surname speaks him English by extraction, and he was of no remarkable activity [x].	RICHARD YONG. He might be English or Welch by his name, but I believe the latter. A man of merit sent by the king into Germany, to give satisfaction of king Henry's proceedings [y].	JOHN TREVAUR. Second of that Christian and surname, bishop of that see, a Welchman no doubt, he was sent (saith T. Walsingham [z]) to Spain to give account of the king's proceedings. Very loyal at the present, but after his return home he sided with Owen Glendowre.

[u] [Godwin De Præsul. Angl. p. 582.]

[v] [Appointed to this office Oct. 25, 1402.]

[w] [Hist. Angl. p. 370.]

[x] [Godwin, ib. 609. In the year 1407 translated to Worcester. Walsing. 376.]

But though the English at this time were so severe against the Welch, king Henry the seventh (born in the bowels of Wales at Pembroke, and assisted in the gaining of the crown by the valour of his countrymen) some years after plucked down this partition wall of difference betwixt them; admitting the Welch to English honours and offices, as good reason, equality of merits should be rewarded with equality of advancement[a]. A. D. 1412. 14 Hen. IV.

14. Sir John Tiptoft (made afterwards earl of Worcester) put up a petition to the parliament touching Lollards, which wrought so on the lords, that they joined in a petition to the king, according to the tenor following. The petition of the lords and commons to the king against Lollards.

"*To our most redoubted and gracious sovereign the king*[b].

"Your humble son, Henry prince of Wales, and "the lords spiritual and temporal in this present "parliament, humbly shew, that the church of Eng- "land hath been, and now is, endowed with tem-

y [Godwin, ib. 623. Afterwards translated to Rochester, in 1404, and made keeper of the privy seal. Angl. Sac. i. 379.]

z [Hist. Angl. 370.]

a ["That was a work reserved for king Harry the Eighth, in the 27th of whose reign there passed an act of parliament, by which it was enacted, 'That the country of Wales should be, stand, and continue for ever from thenceforth incorporated, united, and annexed to and with this realm of England. "And that all and singular person and persons, born and to be born in the said principality, country, or dominion of Wales, shall have, enjoy, and inherit all and singular freedoms, liberties, rights, privileges and laws, within this realm and other the king's dominions, as other the king's subjects naturally born within the same have, enjoy, and inherit.'" Heylin in The Appeal, &c. P. II. p. 46.

b Contracted by myself (exactly keeping the words) out of the original.

A.D. 1412. 14 Hen. IV. "poral possessions, by the gifts and grants, as well "of your royal progenitors as by the ancestors of "the said lords temporal, to maintain divine service, "keep hospitality, &c. to the honour of God, and "the soul's health of your progenitors and the said "lords temporal.

"Yet now of late, some, at the instigation of the "enemy against the foresaid church and prelates, "have, as well in public sermons as in conventicles "and secret places called schools, stirred and moved "the people of your kingdom to take away the said "temporal possessions from the said prelates, with "which they are as rightly endowed, as it hath "been or might be best advised or imagined, by "the laws and customs of your kingdom, and of "which they are as surely possessed as the lords "temporal are of their inheritances.

"Wherefore, in case that this evil purpose be not "resisted by your royal majesty, it is very likely that "in process of time they will also excite the people "of your kingdom for to take away from the said "lords temporal their possessions and heritages, so "to make them common to the open commotion of "your people.

"There be also others, who publish and cause to "be published evilly and falsely among the people "of your kingdom, that Richard, late king of Eng- "land, (who is gone to God, and on whose soul "God through his grace have mercy,) is still alive. "And some have writ and published divers false "pretended prophecies to the people; disturbing "them who would to their power live peaceably, "serve God, and faithfully submit and obey you "their liege lord.

"Wherefore may it please your royal majesty in A. D. 1412. 14 Hen. IV.
"maintenance of the honour of God, conservation of
"the laws of the holy church, as also in the preser-
"vation of the estate of you, your children, and the
"lords aforesaid, and for the quiet of all your king-
"dom, to ordain by a statute in the present parlia-
"ment, by the assent of the lords aforesaid and the
"commons of your kingdom, that in case any man
"or woman, of what estate or condition they be,
"preach, publish, or maintain, hold, use, or exercise,
"any schools, if any sect or doctrine hereafter against
"the catholic faith either preach, publish, maintain,
"or write a schedule, whereby the people may be
"moved to take away the temporal possessions of
"the aforesaid prelates, or preach and publish that
"Richard late king, who is dead, should still be in
"full life, or that the *fool in Scotland* is that king
"Richard who is dead[c]; or that publish or write any
"pretended prophecies to the commotion of your
"people;

"That they and every of them be taken and put
"in prison, without being delivered in bail or other-
"wise, except by good and sufficient mainprise, to
"be taken before the chancellor of England," &c.

15. See we here the policy of the clergy, who had gained prince Henry (set as a transcendent by himself in the petition) to their side, entering his youth against the poor Wiclivites, and this earnest engaged him to the greater antipathy against them when possessed of the crown[d]. The prince made a party against Wiclivites.

[c] [This tradition is thoroughly sifted in the third volume of P. F. Tytler's History of Scotland.]

[d] [Walsingham narrates an anecdote very much to the credit of this prince. In the year 1410, when an artisan was de-

A. D. 1412. 14 Hen. IV.

Complications of royal and prelatical interest.

16. Observe also the subtilty of the clergy in this medley petition, interweaving their own interest with the king's, and endeavouring to possess him, that all the adversaries to their superstitions were enemies also and traitors to his majesty.

Wiclivists their schools.

17. Now as conventicles were the name of disgrace cast on, schools was the term of credit owned by the Wiclivists for the place of their meeting. Whether because the school of Tyrannus[e], wherein St. Paul disputed, was conceived by them senior in scripture to any material church; or that their teaching therein was not in entire discourses, but admitted (as in the schools) of interlocutory opposition on occasion.

Lollards, why so called.

18. By *Lollards* all know the Wiclivites are meant, so called from Walter Lollardus one of their teachers in Germany[f], (and not as the monk alluded, *quasi lolia in ara Domini*[g],) flourishing many

livered over to the secular arm and condemned to be burnt in Smithfield, for denying the real presence in the eucharist, the prince used all his endeavours with the unhappy man to prevail on him to recant; but his efforts being ineffectual the execution proceeded. But with a martyr's zeal the culprit had little of a martyr's courage; his pitiable outcries had so much effect upon the prince that he stopped the progress of the flames, and again endeavoured to move the sufferer to recant: offered him all means of consolation; a full and entire pardon, and a pension of threepence a day from the royal purse for the rest of his life: again his intentions were frustrated; "miser refocillato spiritu "respuit tantæ dignationis ob- "lationem; non dubium quin "maligno spiritu induratus." Hist. Angl. 378. This has also been narrated with considerable additions by John Fox. Martyrol. i. 679.]

[e] Acts xix. 9.

[f] Trithemius in Chron. anno 1315, [and 1321, p. 274, 277. ed. Basil.]

[g] Of S. Aug. Cant. MS. anno 1406. [Many persons according to archbishop Parker (Antiq. Britan. p. 394.) supposed that Wicliffe's followers were called Lollards, because they eat such meats as were prohibited in Lent. But in this they are mistaken; for they were called Lollards from *lolium*, and that from the following circumstance. A certain friar

years before Wicliffe, and much consenting with him in judgment. As for the word *Lollard* retained in our Statutes since the reformation, it seems now as a generical name, to signify such who in their opinions oppose the settled religion of the land, in which sense the modern sheriffs are bound by their oath to suppress them. A. D. 1412. 14 Hen. IV.

19. The parenthesis concerning king Richard "who "is gone to God, and on whose soul God through "his grace have mercy," is according to the doctrine of that age. For they held all in purgatory *gone to God*, because assured in due time of their happiness; yet so that the suffrages of the living were profitable for them. Nor feared they to offend king Henry by their charitable presumption of the final happy estate of king Richard his professed enemy, knowing he cared not where king Richard was, so be it not living and sitting on the English throne. A charitable parenthesis.

20. As for the report of king Richard's being still alive, it is strange any should believe it, if it be true that his corpse for some days were at London exposed to open view: understand it done at distance, lest coming too near might discover some violence offered on his person. It is probable that the obscurity of his burial (huddled into his grave at Langley in Hertfordshire) gave the lustre to the King Richard why believed alive.

of the mendicant order, preaching at Paul's Cross against the doctrines of Wicliffe, which were then gaining strength, took for the subject of his text the parable of the "enemy "sowing tares" (lolia); in which he frequently repeated the word *lolia*, comparing the followers of Wicliffe to tares. From this occurrence the word was caught up by the people, and these men were called Lollards. The term thus applied appears first in the constitutions of archbishop Arundel, in which he complains of the church being infected, "novo "damnabili Lollardiæ no-"mine."]

A. D. 1412. 14 Hen. IV. report that he was still alive, believed of those who desired it.

No woman Lollard martyr.

21. Whereas this law against Lollards extended to women, though many of the weaker sex were in trouble upon that account, yet on my best inquiry I never found any one put to death; Anna Askewe being the first, who in the reign of king Henry the Eighth was burnt for her religion.

Who meant by the *fool in Scotland.*

22. A Scotch writer tells us, that king Richard fled disguised into Scotland, discovered himself to and was honourably entertained by Robert the king thereof. Adding that Richard, who would no more of the world, gave himself wholly to contemplation, lived, died, and buried at Sterling, possibly some mimic might personate him there, and is the *fool* mentioned in this petition[h].

Cruel persecution.

23. Hereupon it was, that the poor Lollards were prosecuted with such cruelty that the prisons were full of them; many forced to abjure, and such who refused used without mercy, as in Mr. Fox is largely related[i].

Archbishop Arundel going to visit Oxford.

24. Thomas Arundel, archbishop of Canterbury, came to Oxford with a pompous train, accompanied with many persons of honour, and particularly with his nephew, Thomas Fitz-Alan, earl of Arundel; his intent was juridically to visit the university, expecting to be solemnly met and sumptuously entertained, according to his place and dignity[k].

Is resisted by the chancellor.

25. But see the spite of it, Richard Courtenay, the chancellor of Oxford, (whom by his surname and

[h] Boetius [Scot. Hist. lib. xvi. p. 339.]

[i] [See the Martyrology, I. p. 774.]

[k] [See also an account of his visiting the university of Cambridge *jure metropolitico* in the year 1405, in Parker's Antiq. Brit. p. 411, and Wake's State of the Church, 348.]

high spirit, I should guess descended from the earls of Devonshire), with Benedict Brent and John Birch, the two proctors, denied the archbishop entrance into the university under the notion of a visitor, though as a stranger, great prelate and privy councillor, all welcome was provided for him and his retinue. Arundel was angry with the affront, and finding force both useless (the scholars siding with the chancellor) and inconsistent with his gravity, was fain fairly to retreat, *re infecta*, to London; the rather because the chancellor had submitted the cause in controversy to the hearing and determining of his majesty. A.D. 1412. 14 Hen. IV.

26. King Henry at the joint instance of both parties, summoned them to Lambeth, to hear and determine the controversy; the chancellor of Oxford produceth an army of large bulls of the pope: archbishop Arundell brought forth one champion, viz. an instrument in the reign of king Richard the Second, wherein the king adjudged all their papal privileges void, as granted to the damage of the crown, and much occasioning the increase of Lollards; not that it was so done intentionally by his holiness (for who can suspect the pope turn Lollard?) but accidentally it came to pass, that the university of Oxford freed from archiepiscopal visitation by virtue of those bulls, the Wiclivists therein escaped from consistorian censure. Hereupon king Henry pronounced sentence on the archbishop's side, as by the ensuing instrument will plainly appear. The king determines the cause for the archbishop.

" Et ulterius tam auctoritate sua regia, quam vir- Feb. 9, Friday.
" tute submissionis prædictæ sibi factæ adtunc ibidem
" arbitratus fuit, ordinavit, consideravit, decrevit, et
" adjudicavit, quod prædictus archiepiscopus et suc-

A. D. 1412. 14 Hen. IV.

" cessores sui in perpetuum habeant visitationem et
" jurisdictionem in universitate prædicta, tam cancel-
" larii commissariorum, quam procuratorum ejusdem
" universitatis, qui pro tempore fuerint, nec non
" omnium doctorum, magistrorum, regentium et
" non-regentium, ac scholarium ejusdem universitatis
" quorumcunque, eorumque servientium, aliarumque
" personarum cujuscunque status et conditionis exti-
" terint, et etiam ejusdem universitatis ut univer-
" sitatis, et quod cancellarius, commissarii, procu-
" ratores universitatis prædictæ, qui pro tempore
" fuerint, eorumque successores, et omnes alii in
" dicta universitate pro tempore commorantes, fu-
" turis temporibus eidem archiepiscopo, et succes-
" soribus suis in visitatione et jurisdictione univer-
" sitatis prædictæ etiam ut universitatis, in omnibus
" pareant et obediant. Et quod nec dictus cancel-
" larius, commissarii, nec procuratores universitatis
" prædictæ, nec eorum successores, nec aliquis alius
" in universitate prædicta aliquod privilegium seu
" beneficium exemptionis ad excludendum præfatum
" archiepiscopum seu successores suos de visitatione
" et jurisdictione prædictis, in universitate antedicta
" colore alicujus bullæ seu alterius tituli cujuscunque
" erga prædictum archiepiscopum seu successores
" suos, clament, habeant, seu vendicent, ullo modo
" in futurum. Et quod quotiens cancellarius, com-
" missarii, vel locum tenens ipsorum, vel alicujus
" ipsorum, vel procuratores dictæ universitatis qui
" pro tempore fuerint, vel eorum successores, sive
" aliquis eorum impedierint vel impedierit præfatum
" archiepiscopum vel successores suos, aut ecclesiam
" suam prædictam, aut ipsorum vel alicujus ipsorum
" commissarium, vel commissarios, de hujusmodi

" visitatione sive jurisdictione dictæ universitatis, vel A. D. 1412.
" in aliquo contravenerint, vel aliquis eorum contra- 14 Hen. IV.
" venerit, dictis, arbitrio, ordinacioni, sive judicio
" per præfatum Ricardum nuper regem factis, sive
" arbitrio, judicio, decreto, considerationi vel ordi-
" nationi ipsius Domini nostri regis Henrici in hoc
" casu, vel si aliquis dictæ universitatis in futurum
" impedierit dictum archiepiscopum, vel successores
" suos, aut ecclesiam suam prædictam, aut ipsorum
" vel alicujus ipsorum commissarium, vel commis-
" sarios, de visitatione sua aut jurisdictione ante-
" dicta, vel in aliquo contravenerit dictis, arbitrio,
" ordinationi, sive judicio per præfatum Ricardum
" nuper regem in forma prædicta factis, vel arbitrio,
" judicio, decreto, considerationi vel ordinationi ipsius
" Domini nostri regis Henrici: Et quod [quotiens]
" cancellarius, commissarii vel procuratores universi-
" tatis prædictæ tunc non fecerint diligentiam et posse
" eorum ad adjuvandum dictum archiepiscopum vel
" successores suos, aut ecclesiam suam prædictam, seu
" commissarium vel commissarios suos in hujusmodi
" casu, ac etiam ad puniendum hujusmodi impedientes
" et resistentes: Quod totiens omnes franchesiæ,
" libertates, et omnia privilegia ejusdem universitatis
" in manus Domini regis vel hæredum suorum sei-
" siantur, in eisdem manibus ipsorum Domini regis
" vel hæredum suorum remansura, quousque præ-
" dictus archiepiscopus vel successores sui pacificam
" visitationem et jurisdictionem in forma prædicta,
" in dicta universitate habuerit vel habuerint, et
" etiam totiens cancellarius, commissarii, et procu-
" ratores ejusdem universitatis, qui pro tempore
" fuerint, et eorum successores, ac universitas præ-
" dicta solvant, et teneantur solvere ipsi Domino

A. D. 1412. 14 Hen. IV. "nostro regi Henrico et hæredibus suis mille libras "legalis monetæ Angliæ.

"Concordat cum originali,
"GULIELMUS RYLEY."

Afterwards the king confirmed the same, with the consent of the lords and commons in parliament, as in the Tower rolls doth plainly appear.

The effect of the statute of *præmunire*.

27. See we here the grand difference betwixt the pope's power in England before and after the statute of *præmunire*. Before it, his αὐτὸς ἔφη was authentical, and his bulls received next to canonical scripture. Since, that statute hath broken off their best seals, wherein they cross the royal power; and in all things else they enter into England mannerly with, "Good king by your leave sir," or else they were no better than so much waste parchment.

Farewell to king Henry the Fourth.

28. This doth acquaint us with a perfect character of king Henry the Fourth, who, though courteous, was not servile to the pope. And sir Edward Cook[1] accounteth this his Oxford action (though unwilling to transcribe the instrument for the tediousness thereof) a noble act of kingly power in that age, and so we take our farewell of king Henry the Fourth, not observed (as all English kings before and after him) to have erected and endowed any one entire house of religion, as first or sole founder thereof, though a great benefactor to the abbey of Leicester, and college of Fotheringhay in Northamptonshire; his picture is not so well known by his head as his hood, which he weareth upon it in an antic fashion peculiar to himself.

[1] Instit. [Part. IV. p. 228. ed. 1648.]

29. At the commons' petition to the king in parliament, that all Irish begging-priests, called *chaumber-deakyns*[m], should avoid the realm before Michaelmas next, they were ordered to depart by the time aforesaid, upon pain of loss of goods and imprisonment during the king's pleasure[n]. A. D. 1413. 1 Hen. V. Chaumber-deakyns banished England.

30. I had almost forgotten, that just a month before the death of king Henry the Fourth, Thomas Arundel archbishop of Canterbury expired; famished to death, not for want of food, but a throat to swallow it, such the swelling therein, that he could neither speak nor eat for some days[o]. I may safely report what others observe, how he, who by his cruel canons forbade the food to the soul, and had pronounced sentence of condemnation on so many innocents, was now both starved and strick dumb together. Henry Chichely succeeded him in the place, whose mean birth interrupted the chain of noble archbishops, his two predecessors and successors being earls' sons by their extraction. The death of Thomas Arundel.

31. The prelates, and abbots especially, began now to have the active soul of king Henry in suspicion; for working heads are not so willing to follow old ways as well-pleased to find out new ones. Such a meddling soul must be sent out of harm's way: if that the clergy found not this king some work abroad, he would make them new work at home. Had his humour happened to side with the Lollards, Henry the Fifth would have saved king Henry the Eighth much pains in demolishing of monasteries. A. D. 1414. The clergy jealous of king Henry's activity.

32. Hereupon the clergy cunningly gave vent to Divert it on a war in France.

[m] [That is chamber-deacons.]

[n] Rotuli in turre in hoc anno. [See the printed copy of the Rolls, vol. IV. p. 13.]

[o] [See Parker's Antiq. Brit. p. 413.]

A.D. 1414. 2 Hen. V. his activity, by diverting it on a long war upon the French, where his victories are loudly sounded forth by our state historians. A war of more credit than profit to England in this king's reign, draining the men and money thereof. Thus victorious bays bear only barren berries, (no whit good for food, and very little for physic,) whilst the peaceable olive drops down that precious liquor, making the face of man to shine therewith. Besides, what this king Henry gained, his son as quickly lost in France. Thus though the providence of nature hath privileged islanders by their entire position to secure themselves, yet are they unhappy in long keeping their acquisitions on the continent.

The sad story of sir John Oldcastle.

33. Now began the tragedy of sir John Oldcastle, so largely handled in Mr. Fox, that his pains hath given posterity a writ of ease herein[p]. He was a vigorous knight, whose martial activity wrought him into the affections of Joan De la Pole, baroness of Cobham, the lord whereof he became (*sed quære*, whether an actual baron) by her marriage[q].

His belief.

34. As for the opinions of this sir John Oldcastle, they plainly appear in his belief which he drew up with his own hand, and presented it first to the king, then to the archbishop of Canterbury, wherein some things are rather coarsely than falsely spoken. He knew to speak in the language of the *schools* (so were the meetings of the Wiclivists called) but not scholastically; and I believe he was the first that coined and last that used the distinction of the

[p] [See the Martyrology, I. p. 726. An account of sir John Cobham was also written by John Bale, and reprinted in the first volume of the Harleian Miscellany. See also Lewis, Life of Wicliffe, p. 246.]

[q] [Camden's Brit. p. 233.]

church militant, divided into *priesthood, knighthood,* and *commons*, which had no great harm therein as he explained it. As for Parsons his charging him with anabaptistical tenets, it is pity that the words of a plain meaning man should be put on the rack of a Jesuit's malice, to extort by deduction what never was intended therein[r]. A. D. 1414. 2 Hen. V.

35. But a worse accusation is charged on his memory, that he was not only guilty of heresy but treason. But by the way, it appeareth that Lollardism then counted heresy was made treason by statute, and on that account heresy and treason signify no more than heresy, and then heresy, according to the abusive language of that age, was the best serving of God in those days. But besides this, a very formal treason is laid to this lord's account in manner following. He is charged of treason.

It is laid to his charge, that though not present in the person with his counsel, he encouraged an army of rebels, no fewer than twenty thousand, which in the dark thickets (expounded in our age into plain pasture) of St. Giles' fields nigh London, intended to seize on the king's person and his two brothers, the dukes of Bedford and Gloucester. Of this numerous army, thirty-six are said to be hanged and burnt, though the names of three are only known, and sir Roger Acton, knight, the only person of quality named in the design.

36. For mine own part, I must confess myself so lost in the intricacies of these relations, that I know not what to assent to[s]. On the one side, I am loth The author intricated.

[r] In his Three Conversions, [II. 249. Wicliffe had before made use of this distinction here attributed to Oldcastle.]

[s] [These contradictory relations are examined by Lewis, ib. p. 251.]

A. D. 1414. 2 Hen. V.

to load the lord Cobham's memory with causeless crimes, knowing the perfect hatred the clergy in that age bare unto him, and all that looked towards the reformation in religion. Besides, that 20,000 men should be brought into the field, and no place assigned whence they were to be raised, or where mustered, is clogged with much improbability. The rather because only the three persons, as is aforesaid, are mentioned by name of so vast a number.

Leaveth all to the last day.

37. On the other side, I am much startled with the evidence that appeareth against him. Indeed I am little moved with what T. Walsingham writes, (whom all later authors follow, as a flock the belwether,) knowing him a Benedictine monk of St. Albans, bowed by interest to partiality; but the records of the Tower, and acts of parliament therein, wherein he was solemnly condemned for a traitor as well as heretic, challenge belief. For with what confidence can any private person promise credit from posterity to his own writings, if such public monuments be not by him entertained for authentical. Let Mr. Fox therefore be this lord Cobham's compurgator, I dare not; and if my hand were put on the Bible, I should take it back again. Yet so that, as I will not acquit, I will not condemn him, but leave all to the *last day of the revelation of the righteous judgment of God* [t].

The lord Cobham taken in Wales.

38. This is most true, that the lord Cobham made his escape out of the Tower, wherein he was imprisoned; fled into Wales, here he lived four years, [illegible]ing at last discovered, and taken by the lord Powis. [illegible] so, that it cost some blows and blood to appre-

[t] Rom. ii. 5.

hend him, till a woman at last with a stool broke the lord Cobham's legs, whereby being lame he was brought up to London in a horse-litter. A.D. 1414. 2 Hen. V.

39. At last he was drawn upon a hurdle to the gallows, his death as his crime being double, hanged and burned for traitor and heretic. Hence some have deduced the etymology of *Tyburn* from *tie* and *burn*, the necks of offending persons being tied thereunto, whose legs and lower parts were consumed in the flame [u]. His double death.

40. Stage poets have themselves been very bold with, and others very merry at, the memory of sir John Oldcastle, whom they have fancied a boon companion, a jovial royster, and yet a coward to boot, contrary to the credit of all chronicles, owning him a martial man of merit. The best is, sir John Falstaff hath relieved the memory of sir John Oldcastle, and of late is substituted buffoon in his place, but it matters as little what petulant poets as what malicious papists have written against him. Unjustly made the buffoon in plays.

41. Richard Flemyng, doctor of divinity, designed by the pope archbishop of York, but, to please king Henry the Fifth, contented with the bishopric of Lincoln, about this time founded a college, named Lincoln college in Oxford [w]. It fared the worse because he died before it was fully finished, and the A.D. 1421. Lincoln college founded.

[u] [A conceit of Nicholas Harpsfield's. The name appears to have been derived either from "the Tey or Tey-"bourn, a small brook passing "near unto it in the former "times. Which brook or "bourn, arising not far from "Paddington, hath since been "drawn into several conduits "for the use of the city;" or from "twey-born, from two "little brooks wherewith it is "insulated in the winter." See the Appeal, &c. part II. p. 17.]

[w] [See Harpsfield's Hist. Ecclesiastica Angl. p. 649. Godwin de Præsul. Angl. p. 297. Bishop Flemyng died in 1431.]

A. D. 1421. 9 Hen. V.

best guardian to an orphan foundation comes far short of the father thereof[x]. Yet was this house happy in two bountiful benefactors, Thomas Beckington, bishop of Bath and Wells, who (according to the ingenuity of that age (hath left his memory in a beacon with a tun on the walls, and Thomas Rotherham, archbishop of York, adding five fellowships thereunto.

N. Pont great anti-Lincolnian.

42. Here I wonder what made Nicholas Pont, fellow of Merton college, and scholar enough, to be such a back-friend to this college in the infancy thereof, inveighing bitterly against it[y]. This is that Pont whose faith many distrust, for his violent writing against Wicliffe, but whose charity more may dislike for his malice to this innocent college, except it was, that he foresaw it would produce in time worthy champions of the truth, opposers of his erroneous opinions, as indeed it hath, though I be unable to give a particular catalogue of them.

The author some weeks in, though not of this house.

43. Indeed I could much desire, were it in my power, to express my service to this foundation, acknowledging myself for a quarter of a year in these troublesome times, though no member of, a dweller in it. I will not complain of the dearness of this university, where seventeen weeks cost me more than seventeen years in Cambridge, even all that I had, but shall pray that the students therein be never hereafter disturbed upon the like occasion[z].

The arch-casuists of our church and age.

44. Amongst the modern worthies of this college still surviving, Dr. Robert Saunderson, late regius

[x] [See an account of this learned and munificent prelate in Wood's History of Colleges &c. iii. 234.]

[y] Bri. Twyne, [Antiq. Acad. Oxon. in App.] Pitz. [in vit. 588.]

[z] [Coming within "the compass of delinquency." See the Appeal, p. 443, ed. 1840.]

professor, moveth in the highest sphere; as no less plain and profitable than able and profound casuist, (a learning almost lost amongst protestants,) wrapping up sharp thorns in rose leaves, I mean hard matter in sweet Latin and pleasant expressions. A.D. 1421. 9 Hen. V.

Rectors.	*Bishops.*	*Benefactors.*	*Learned writers.*
Mr. William Chamberleyn.		John Forrest, dean of Wells.	
[1435.] Mr. John Beke.		John Southam, archdeacon of Oxford.	
[1460.] Mr. John Tristrope.		William Findern, esq.	
[1479.] Mr. George Strangwayes.		Henry Beaufort, cardinal, bishop of Winchester.	
[1488.] Mr. William Bethome.		John Buketot.	
[1493.] Dr. Thomas Banke.		John Crosby, treasurer of Lincoln.	
[1503.] Mr. Thomas Drax.		Walter Bate.	
[1518.] Dr. John Cottisford.		Edward Darby.	William Harris, whose writings are much esteemed by the papists. [ob. 1602.][e]
[1538.] Mr. Hugo Weston.	John Underhill, bishop of Oxford[c].	William Dagvyle, maj. of Oxford.	
[1556.] Mr. Christopher Hargrave.		William Bish[d].	
[1558.] Mr. Henry Henshaw[a].		Edmund Audley, [bishop of Salisbury.]	
[1560.] Dr. Francis Babington.		John Traps.	
[1563.] Mr. John Bridgwater[b].		Richard Kilbie, late rector.	
[1574.] Mr. John Tatham.			
[1577.] Dr. John Underhill.			
[1590.] Dr. Richard Kilbye.			Richard Thornton.
[1620.] Dr. Paul Hood.			

[a] [Heronshaw, commonly called Henshaw. Wood, 241.]

[b] [Author of the celebrated work, Concertatio Ecclesiæ Catholicæ in Anglia, which he published under his latinized name, "Aquepontanus." See Wood's Athenæ. i. 274.]

[c] [Wood reckons eleven bishops as having belonged to this foundation, to 1747.]

[d] [I think this must be a mistake for Wm. Smith, bishop of Lincoln, since I can find no record of Wm. Bish.]

[e] Pitz. in vita, p. 801.

A. D. 1421. 9 Hen. V.

best guardian to an ... one rector, short of the ... scholars, which, happy in ... oners, lately made up ington, ... the in... forget John Williams, bishop beac... Cambridge, related only to this har... thereof. Here finding the chapel t... John Forrest, dean of Wells in the reign (built by Henry the Sixth) old, little, and inconve-

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nient, he erected a far fairer fabric in the room thereof. He had a good precedent of a Cambridge man's bounty to this house, even Thomas Rotherham, fellow of King's College [f] and master of Pembroke Hall therein, whom bishop Williams succeeded, as in the bishopric of Lincoln and the archbishopric of York, so in his liberality to this foundation [g].

A. D. 1422. The death and character of king Henry the Fifth.

44. On the last of August king Henry the Fifth ended his life, in France; one of a strong and active body; neither shrinking in cold nor slothful in heat, going commonly with his head uncovered; the wearing of armour was no more cumbersome unto him than a cloak. He never shrunk at a wound, nor

[f] ["At what time Thomas "Rotherham, alias Scot, bishop "of Lincoln, visited his diocese, "he came to Oxford, and, "among other places therein, "to this college, where against "his coming John Tristrope, "rector thereof, had provided "a visitation sermon for him, "taking his text out of the "psalmist running thus, *Vide* "*et visita vineam tuam, et rem* "*perfice quam plantavit dex-*"*tra tua*; in the handling of "which he did exhort the "bishop in such manner to "good works, and to perfect "this his college, which then "being imperfect both in its "edifices and government, that "when he concluded his ser-"mon the bishop stood up and "answered the preacher with "great love and affection: "*facturum se quod petunt.*" Wood, ib. 238.]

[g] [See Wood, ib. 250; Godwin de Præsul. 698, 299.]

l away his nose for ill savour, nor closed his or smoke or dust; in diet none less dainty or o moderate; his sleep very short, but sound; ortunate in fight, and commendable in all his actions: verifying the proverb, that an ill youth may make a good man. The nunnery of Sion was built and endowed by him, and a college was by him intended in Oxford, had not death prevented him. A. D. 1422. 1 Hen. VI.

45. As for Katherine de Valois, daughter to Charles the Sixth, king of France, widow of king Henry, she was afterward married to, and had issue by, Owen ap Tudor, a noble Welshman; and her body lies at this day unburied in a loose coffin at Westminster, lately shewed to such as desire it, and there dependeth a story thereon. Queen Katherine married again.

46. There was an old prophecy among the English, (observed by foreigners to be the greatest prophecy-mongers[h], and whilst the devil knows their diet they shall never want a dish to please the palate,) that an English prince, born at Windsor, should be unfortunate in losing what his father had acquired; whereupon king Henry forbade queen Katherine (big with child) to be delivered there, who out of the corrupt principle, *Nitimur in vetitum*, and affecting her father before her husband, was there brought to bed of king Henry the Sixth, in whose reign the fair victories woven by his father's valour were, by cowardice, carelessness, and contentions, unravelled to nothing. But never buried.

47. Report (the greatest, though not the truest author) avoucheth that, sensible of her fault in disobeying her husband, it was her own desire and By her own desire.

[h] Philip Commineus. [See this History, p. 228.]

A.D. 1421. 9 Hen. V. So that at the present are maintained one rector, fourteen fellows, two chaplains, four scholars, which, with servants and other commoners, lately made up seventy-two.

Bishop of Lincoln builds them a new chapel.

43. We must not forget John Williams, bishop of Lincoln, bred in Cambridge, related only to this house as visitor thereof. Here finding the chapel (built by John Forrest, dean of Wells in the reign of king Henry the Sixth) old, little, and inconvenient, he erected a far fairer fabric in the room thereof. He had a good precedent of a Cambridge man's bounty to this house, even Thomas Rotherham, fellow of King's College [f] and master of Pembroke Hall therein, whom bishop Williams succeeded, as in the bishopric of Lincoln and the archbishopric of York, so in his liberality to this foundation [g].

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A D. 1422. 1 Hen. VI. pleasure that her body should never be buried. If so, it is pity but that a woman, especially a queen, should have her will therein[i]; whose dust doth preach a sermon of duty to feminine, and of mortality to all beholders.

Alii aliter. 48. But this story is told otherwise by other authors, namely, that she was buried near her husband king Henry the Fifth, under a fair tomb[j], where she hath a large epitaph, and continued in her grave some years, until king Henry the Seventh, laying the foundation of a new chapel, caused her corpse to be taken up; but why the said Henry, being her great-grandchild, did not order it to be re-interred, is not recorded; if done by casualty and neglect, very strange, and stranger if out of design.

The parliament appoint the king's councillors. 49. In the minority of king Henry the Sixth, as his uncle, John duke of Bedford, managed martial matters beyond the seas, so his other uncle, Humphrey duke of Gloucester, was chosen his protector at home, to whom the parliament then sitting appointed a select number of privy councillors, wherein only such as were spiritual persons fall under our observation.

i. Henry Chichely, archbishop of Canterbury.

ii. John Kempe, bishop of London.

iii. Henry Beaufort, bishop of Winchester, lately made lord cardinal.

iv. John Wakering, bishop of Norwich, privy seal.

[i] Speed's Chron. p. 661. [Her coffin was still shewn till within a late period. Sir Henry Ellis, of the British Museum, possesses some very curious memoranda respecting the disinterment of this queen.]

[j] Stow's Survey of London, p. 507, [and Chron. 376. Hall's Chron. p. 184.]

v. Philip Morgan, bishop of Worcester. A. D. 1422. 1 Hen. VI.

vi. Nicholas Bubwith, bishop of Bath and Wells, lord treasurer.

So strong a party had the clergy in that age in the privy council, that they could carry all matters at their own pleasure.

50. It was ordered in parliament that all Irishmen living in either university should procure their testimonials from the lord lieutenant or justice of Ireland, as also find sureties for their good behaviour during their remaining therein. They were also forbidden to take upon them the principality of any hall or house in either university, but that they remain under the discipline of others. A. D. 1423. A strict law for the Irish clergy.

51. Hitherto the corpse of John Wicliffe had quietly slept in his grave, about one-and-forty years after his death, till his body was reduced to bones, and his bones almost to dust; for though the earth in the chancel of Lutterworth in Leicestershire, where he was interred, hath not so quick a digestion with the earth of Aceldama, to consume flesh in twenty-four hours, yet such the appetite thereof, and all other English graves, [as] to leave small reversions of a body after so many years [k]. A. D. 1428. Wicliffe quietly buried 41 years.

52. But now, such the spleen of the council of Constance, as they not only cursed his memory, as dying an obstinate heretic, but ordered that his bones (with this charitable caution, if it may be discerned from the bodies of other faithful people) to be taken out of the ground and thrown far off from any Christian burial. Ordered to be ungraved for a heretic.

[k] [For an account of this burning of Wicliffe's bones, see Fox's Martyrol. i. p. 606; and of this voracious power of the soil of Aceldama, the Pisgah Sight, iii. p. 348.]

A.D. 1428. 6 Hen. VI.

His ashes burnt and drowned.

53. In obedience hereunto, Richard Flemyng, bishop of Lincoln, diocesan of Lutterworth, sent his officers (vultures with a quick sight-scent at a dead carcass) to ungrave him accordingly[1]. To Lutterworth they come, (sumner, commissary, official, chancellor, proctors, doctors, and the servants, so that the remnant of the body would not hold out a bone amongst so many hands,) take what was left out of the grave, and burnt them to ashes, and cast them into Swift, a neighbouring brook running hard by. Thus this brook hath conveyed his ashes into Avon, Avon into Severn, Severn into the narrow seas, they into the main ocean; and thus the ashes of Wicliffe are the emblem of his doctrine, which now is dispersed all the world over.

None can drive a nail of wax.

54. I know not whether the vulgar tradition be worth remembrance, that the brook into which Wicliffe his ashes were poured never since overflowed the banks. Were this true, (as some deny it,) as silly is the inference of papists attributing this to Divine Providence, expressing itself pleased with such severity on a heretic, as simple the collection of some protestants, making it an effect of Wicliffe his sanctity. Such topical accidents are good for friend and foe, as they may be bowed to both; but in effect good to neither, seeing no solid judgment will build where bare fancy hath laid foundation.

[1] [In his early years this prelate had adopted Wicliffe's sentiments with so much zeal that he drew a great party after him, and would in all probability have proved a dangerous opponent; but upon the persuasion of some leading members in the university, he was drawn to different thoughts, and, relinquishing Wicliffe's doctrines, became as zealous in opposing as once he had been forward in promoting them. With this view he founded Lincoln College, intending it as a nursery for controversialists who might disprove the doctrines of that reformer. See Wood, ib. 234.]

55. It is of more consequence to observe the differences betwixt authors, some making the council of Constance to pass this sentence of condemnation, as Master Fox doth, inserting (but by mistake) the history thereof, in the reign of king Richard the Second, which happened many years after; but more truly it is ascribed to the council of Sienna, except for sureness both of them joined in the same cruel edict [m]. A.D. 1428. 6 Hen. VI. Difference betwixt authors.

56. Here I cannot omit what I read in a popish manuscript [n], but very lately printed, about the subject of our present discourse: Wicliffe traduced.

57. "The first unclean beast that ever passed "through Oxen-ford (I mean Wicliffe by name) "afterwards chewed the cud, and was sufficiently "reconciled to the Roman faith, as appears by his "recantation, living and dying conformable to the "holy catholic church." O the wit!

58. It is strange that this popish priest alone should light on his recantation, which I believe no other eyes, before or since, did behold; besides, if (as he saith) Wicliffe was sufficiently reconciled to the Roman faith, why was not Rome sufficiently reconciled to him? using such cruelty unto him so many years after his death. Cold encouragement for any to become Romist converts, if, notwith-

[m] [In this Fuller is mistaken. The decree for exhuming Wicliffe's bones was passed in the year 1415, in the eighth session of the council of Constance. See Harduin's Concil. viii. p. 302. The council of Sienna was held in the year 1423, and Richard Flemyng, the bishop of Lincoln, was present on the part of the church of England; but I can find no mention of any such decree in the Acts of this council, concerning Wicliffe, as is here stated by Fuller. See also Lewis's Wicliffe, p. 137.]

[n] Hall, in the Life of Bishop Fisher, p. 33, [35; since published by Dr. Thomas Bailey in his own name, in the year 1655; reprinted in 1739.]

A D. 1428. 6 Hen. VI. standing their reconciliation, the bodies must be burnt so many years after their death.

A monk's charity to Wicliffe.

59. But though Wicliffe had no tomb, he had an epitaph, such as it was, which a monk afforded him; and that it was no worse, thank his want, not of malice, but invention, not finding out worse expressions:

"The devil's instrument, church's enemy, people's "confusion, heretic's idol, hypocrite's mirror, schism's "broacher, hatred's sower, lie's forger, flattery's sink; "who at his death despaired like Cain, and stricken "by the horrible judgments of God, breathed forth "his wicked soul to the dark mansion of the black "devil [o]."

Surely he with whose name this epitaph beginneth and endeth was with the maker clean through the contrivance thereof.

A conditional privy council.

59. Henry Beaufort, bishop of Winchester, cardinal Sancti Eusebii, but commonly called cardinal of England, was by consent of parliament made one of the king's council, with this condition, that he should make a protestation to absent himself from the council when any matters were to be treated betwixt the king and pope, being jealous belike that his papal would prevail over his royal interest [p]. The cardinal took the protestation, and promised to perform it.

Privilege of convocation.

60. The clergy complained in parliament to the king that their servants which came with them to convocations were often arrested, to their great damage; and they prayed that they might have

[o] [Thos. Walsingh. Hist. Ang. p. 312.]

[p] Ex Archivis tur. London. [I have not been able to verify either the reference or the fact.]

the same privilege which the peers and commons of the kingdom have, which are called to parliament, which was granted accordingly. A. D. 1430. 8 Hen. VI.

61. Great at this time was the want of grammar schools, and the abuse of them that were even in London itself; for they were no better than monopolies, it being penal for any (to prevent the growth of Wicliffism) to put their children to private teachers: hence was it that some hundreds were compelled to go to the same school, where, to use the words of the records, "the masters waxen rich "in money, and learners poor in cunning." Want of grammar schools complained of.

Whereupon this grievance was complained on in parliament by four eminent ministers in London, viz.

Mr. William Lichfield, parson of All-hallow's the More.

Mr. Gilbert, parson of St. Andrew's, Holborn.

Mr. John Cote, parson of St. Peter's, Cornhill.

Mr. John Neele, master of the house of St. Thomas Acres, and parson of Colechurch [q].

To these it was granted, by the advice of the ordinary or archbishop of Canterbury, to erect five schools (Neele, the last named, having a double license for two places) in their respective parishes, which are fitly called the five vowels of London, which, mute in a manner before, began now to speak and pronounce the Latin tongue. Know that the house St. Thomas Acres was where Mercers' Chapel standeth at this day.

About this time the lady Eleanor Cobham, so called from the lord Cobham, her father, (otherwise A. D. 1441. Eleanor duchess of Gloucester commended

[q] [For an account of the old schools in London, see Stow's Chron. 1063; and for these in particular, p. 1081.]

A. D. 1441. 19 Hen. VI. Eleanor Plantagenet, by her husband,) was married unto Humphrey, the king's uncle, duke of Glouces-

by Mr. Fox for a confessor. ter. She was, it seems, a great savourer and favourer of Wicliffe his opinions, and for such Mr. Fox hath ever a good word in store; insomuch that he maketh this lady a confessor, sir Roger Onely, (alias Bolingbroke,) her chaplain, a martyr, assigning in his calendar the eleventh and twelfth of February for the days of their commemoration.

Made traitor by A. C. But Alanus Copus (namely, Harpsfield under his name) falls foul on Mr. Fox for making sir Roger a martyr, who was a traitor, and Eleanor this duchess a confessor, who by the consent of our chroniclers, Robert Fabian, Edward Hall, &c. was condemned (after solemn penance and carrying a taper barefoot at Paul's Cross) to perpetual banishment for plotting with Onely, his chaplain, an abominable necromancer, and three others, by witchcraft to destroy the king, so to derive the crown to her husband, as the next heir in the line of Lancaster. But Cope-Harpsfield pincheth the Fox the hardest for making Margaret Jourdeman (the witch of Eye) a martyr, who was justly burnt for her witchcraft. Other small errors we omit whereof he accuseth him.

Mr. Fox his ingenious confession. In answer hereunto, Mr. Fox makes a threefold return, ingeniously confessing part of the charge, flatly denying part, and fairly excusing the rest. He confesseth, and take it in his own words, that the "former edition of his Acts and Monuments, was so "hastily rashed up at that present in such shortness "of time[r]," (fourteen months, as I remember, too small a term for so great a task,) that it betrayed him to many mistakes, as when he calleth sir Roger

[r] I. p. 920.

Onely a knight, who was a priest by his profession. A. D. 1441. 19 Hen. VI.
Adding moreover, that " had he thought no imper-
" fections had passed his former edition, he would
" have taken in hand a second recognition thereof[s]."

He flatly denieth that his martyr-making of Margaret Jourdeman the witch of Eye. His flat denial.

" I here (saith he) profess, confess and ascertain,
" both you (Cope-Harpsfield he meaneth) and all Eng-
" lish men, both present, and all posterity hereafter to
" come, that this Margaret Jourdeman I never spake
" of, never thought of, never dreamed of, nor did ever
" hear of, before you named her in your book your-
" self. So far is it off that I, either with my will,
" or against my will, made any martyr of her[t]."

He excuseth the aforesaid duchess Eleanor, alleging ten conjectures (as he calleth them) in her vindication. His ten conjectures in behalf of the duchess.

i. Sir Roger Onely took it upon his death, that he and the lady were innocent of those things for which they were condemned.

ii. It was usual for the clergy in that age to load those who were of Wicliffe his persuasion (such this duchess) with no less false than foul aspersions.

iii. Sir Roger Onely wrote two books, mentioned by Bale, the one of his own innocency, the other *contra vulgi superstitiones.* It is not therefore probable he should be so silly a necromancer, who had professedly confuted popular superstitions.

iv. The accusation of this duchess began not until after the grudges betwixt the duke her husband and the cardinal of Winchester[u], about the year 1440.

v. It is not probable if the duchess intended such

[s] Ibid. i. 920.
[t] As in his Cent. VIII. §. 4.
[u] I see not how this is much material in her defence.

A.D. 1441. 19 Hen. VI.

treason against the king's life, as to consume him by burning a wax candle, that she would impart a plot of such privacy to four persons, viz. sir Roger, Margaret Jourdeman, Mr. Thomas Southwell, and John Hume, seeing five may keep counsel, if four be away.

vi. So heinous a treason against the king's person, if plainly proved, would have been more severely punished, with death no doubt of all privy thereunto. Whereas this lady escaped with exile, and John Hume had his life pardoned, which being so foul a fact would not have been forgiven if clearly testified against him.

vii. She is accused in our chronicles, (Harding, Polychronicon, &c.) for working sorcery and enchantments against the church and the king. Now how can enchantments be made against the church which is a collective body, consisting of a multitude of Christians? And reader, in my weak opinion, this conjecture carrieth some weight with it. Balaam himself can tell us, *There is no sorcery against Jacob, nor soothsaying against Israel*[v]. If any interpret, *against the church*, that is, the laws and canons of the church, the sense is harsh and unusual. This rendereth it suspicious that her enchantments against the church, was only her disliking and distasting the errors and superstitions thereof.

viii. This witch of Eye, saith Fabian, lived near Winchester, a presumption, as Mr. Fox conjectureth, that the cardinal of Winchester had a hand in packing this accusation.

ix. Polydore Virgil maketh no mention thereof,

[v] Num. xxiii. 23.

otherwise sufficiently quicksighted in matters of this nature. A.D. 1441. 19 Hen. VI.

x. Why may not this be false, as well as that king Richard the Third his accusing of Jane Shore for bewitching of his withered arm.

These conjectures are not substantial enough severally to subsist of themselves, yet may they be able to stand in complication (in the whole sheaf, though not as single arrows) and conduce not a little towards the clearing of her innocence.

For my own part, it is past my skill to scour out stains, inlaid in the memory of one deceased more than two hundred years ago. I see her credit stands condemned by the generality of writers; and as it is above the power of the present age to pardon it, so it is against all pity, cruelly to execute the same, some after-evidences appearing with glimmering light in her vindication. Let her memory therefore be reprieved till the day of judgment, when it is possible that this lady, *bearing here the indignation of God for her sins, may in due time have her cause pleaded and judgment executed for her, and her righteousness be brought into light*[w]. Sure I am she fared no whit the better, for her surname of Cobham, odious to the clergy of that age on the account of sir John Oldcastle lord Cobham, though these two were nothing of kin. The best is she left no issue to be ashamed of her faults, if she were guilty, the best evidences of whose innocence are in the manuscript books of John Leland, which as yet I have not had the happiness to behold[x]. A moderate way.

[w] Micah vii. 9.

[x] [If the reader feel any interest in this subject, he will do well to peruse Stow's honest and simple account of it. Chron. p. 381.]

A. D. 1441. 19 Hen. VI. At this time William Heiworth sat bishop of Coventry and Lichfield, being translated thither from being abbot of St. Alban's. Wonder not that he should leave the richest abbey of England, where he took place of all of his order, and exchange it for a middle-sized bishopric. For first, even those who most admire the holiness and perfection of monastical life, do grant the episcopal function above it in all spiritual respects. Secondly, in temporal considerations the poorest bishop was better, and might be more beneficial to his kindred, than the richest abbot, seeing he by will might bequeath his estate to his heirs, which no abbot, incapable in his own person of any propriety) could legally do, whose goods belonged to his convent in common [y].

The meanest bishop above the mightiest abbot.

Lichfield's cathedral.

This bishop Heiworth deserved not ill of his cathedral church of Lichfield. Indeed the body of the church was built by Roger de Clinton bishop thereof, in the reign of king Henry the First, who increased the number of the prebends, and surrounded Lichfield with a ditch, bestowing much cost on the invisible castle, which now is vanished out of sight [z]. Afterwards Walter de Langton his successor in the reign of king Edward the First, was a most munificent benefactor thereunto, laying the foundation of the chapel of the Virgin Mary, and (though dying before it was finished) bequeathing a sufficient sum of money for the finishing thereof. He also fenced the close of the church about with a high wall and deep ditch, adorning it with two beautiful gates, the fairer on the west, the lesser on the

[y] [Promoted to this see in 1420; died in 1447. See Godwin de Præsul. Angliæ, p. 322. Wharton's Angl. Sac. I. 452.]

[z] [See Wharton's Angl. Sac. I. 434 and 441.]

south side thereof. He expended no less than two thousand pound in beautifying the shrine of St. Chad his predecessor[z]. A. D. 1433. 11 Hen. VI.

65. But now in the time of the aforesaid William Heyworth, the cathedral of Lichfield was in the vertical height thereof, being, though not augmented in the essentials, beautified in the ornamentals thereof. Indeed the west front thereof is a stately fabric, adorned with exquisite imagery, which I suspect our age is so far from being able to imitate the workmanship, that it understandeth not the history thereof[a]. The neatest pile in England.

66. Surely what Charles the Fifth is said to have said of the city of Florence, that it is pity it should be seen save only on holy-days; as also that it was fit that so fair a city should have a case and cover for it to keep it from wind and weather; so, in some sort, this fabric may seem to deserve a shelter to secure it. Charles the Fifth of Florence.

67. But alas, it is now in a pitiful case indeed, almost beaten down to the ground in our civil dissensions. Now lest the church should follow the castle, I mean, quite vanish out of view, I have at the cost of my worthy friend here exemplified the portraiture thereof; and am glad to hear it to be the design of ingenious persons to preserve ancient churches in the like nature, (whereof many are done An ingenious design.

[z] [And left to the church at his death 904 marks. Wharton, ii. 447.]

[a] [Besides his benefactions to Lichfield, he left to the abbey of Burton in Staffordshire 40*l.* for building the cloister, 20*l.* for copes; two silver salvers, two candelabra, a silver thuribulum; and forty marks for building two tenements in the town. Mon. Anglic. i. 275. He died March 13, 1446. See also other instances of his benefactions in the new edition of the Monasticon, vol. vi. p. 637.]

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in this, and more expected in the next part of Monasticon,) seeing when their substance is gone, their very shadows will be acceptable to posterity[b].

A grievance complained on.

68. The commons in parliament complained to the king, that whereas they had sold great wood of twenty years' growth and upwards, to their own great profit, and in aid to the king in his wars and shipping, the parsons and vicars impleaded such merchants as bought this timber, for the tithes thereof, whereby their estates were much damnified, the king and kingdom disserved.

With great earnestness.

69. They also complained, that when such merchants troubled in the courts Christian addressed themselves for remedy to the chancery, and moved

[b] [This cathedral, which had been reduced to ruins by the parliamentary party in the civil wars, was restored by the good bishop Hacket. Before the wars, it had been a most beautiful structure, which the bishop, at his promotion to this see, found in a melancholy state of desolation, rased almost to the ground. The stone roof, the timber, the lead and iron, glass, stalls, organs, the rich and holy vessels all embezzled by wicked and sacrilegious hands. The barbarians had discharged 2000 shot of great ordinance, 1500 grenades against this beautiful fabric and quite battered down the spire: "So that the *old man*," says Dr. Plume, "took not so "much comfort in his new "promotion, as he found sor-"row and pity in himself to "see his cathedral church thus "lying in the dust; so that "the very next morning after "his lordship's arrival he set his "own coach-horses on work, "together with other teems to "carry away the rubbish; "which being cleared he pro-"cured artisans of all sorts to "begin this new pile, and be-"fore his death set up a com-"plete church again better "than ever it was before; the "whole roof, from one end to "the other of a vast length, "all repaired with stone, all "laid with goodly timber of our "royal sovereign's gift, all lead-"ed from one end to the other, "to the cost of above 20,000*l.*, "which yet this zealous and "laborious bishop accomplish-"ed, a great part out of his "own bounty, with 1000*l.* "help of the dean and chap-"ter." Life of Hacket, p. xxxi. prefixed to his Century of Sermons. Oh si sic omnes reges et prælati!]

therein for a prohibition, which in such cases is to be granted unto them, by virtue of a statute made in the forty-fifth year of king Edward the Third, yet such a writ of prohibition and attachment, was against all law and right denied them. Wherefore they humbly desired the king to ordain by authority of the present parliament, that such who shall find themselves grieved may hereafter have such writs of prohibition, and upon that attachments as well in the chancery as in the king's and common bench at their choice. And that the said writs of prohibition and attachment, issuing out of the said benches, have the said force and effects as the original writs of prohibition and attachment, so issuing out of the chancery of our lord the king [c].

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70. To this it was returned, "the king will be "advised," the civilest expression of a denial. However, we may observe, that for a full hundred years (viz. from the middle of king Edward the Third, to and after this time) no one parliament passed wherein this grievance was not complained on. So that an acorn might become an oak, and good timber in the term, wherein this molestation for the tithes of wood, under the pretence of *silva cedua*, did continue. But it seems it was well ordered at last, finding future parliaments not complaining thereof.

Yet not fully redressed.

71. At this time William Lyndewode finished his industrious and useful work of his Constitutions. He was bred in Cambridge, first scholar of Gonvile, then fellow of Pembroke hall. His younger years he spent in the study of the laws, whereby he gained much wealth and more reputation. Afterwards,

William Lyndewode his Constitutions set forth.

[c] Ex Archivis in Tur. Londin. undecimo Hen. sexti.

A.D. 1433. 11 Hen. VI. quitting his practice, he betook himself to the court, and became keeper of the privy seal unto king Henry the Fifth, who employed him on a long and important embassy into Spain and Portugal[d].

First employed ambassador into Portugal.

72. Lyndewode being no less skilful in civil than canon law, performed the place with such exemplary industry and judgment, that had not the king's sudden death prevented it, he had been highly advanced in the commonwealth. Afterwards he reassumed his official's place of Canterbury, and then at spare hours collected and digested the Constitutions of the fourteen latter archbishops of Canterbury, from Stephen Langton to Henry Chichele, unto whom he dedicated the work, submitting the censure thereof to the church.

His work printed and prized beyond sea.

73. A worthy work, highly esteemed by foreign lawyers; not so particularly provincial for England but that they are useful for other countries, his comment thereon being a magazine of the canon law. It was printed at Paris, 1505, (but at the cost and charges of William Bretton, an honest merchant of London,) revised by the care of Wolfgangus Hippolius, and prefaced unto by Jodocus Badius. This Lyndewode was afterward made bishop of St. Davids, whose works (though now beheld by some as an almanac out of date) will be valued by the judicious whilst learning and civility have a being[e].

[d] [Parker's Antiq. p. 425–6. He was afterwards sent on a mission into France. See a privy seal granted to him for transporting money and metal, dated June 22, 1435, in Rymer's Fœdera, X. 614.]

[e] [Lyndewode, though fellow of Pembroke hall in Cambridge, had his doctor's degree in Oxford, migrating thither probably as the canon law was more studied in Oxford at that time. He was rector of Walton in Leicestershire which he resigned in 1410; then canon of Salisbury; bishop of St. David's in 1442; died in 1446, and was buried at Westminster. See Godwin, p. 583.]

SECT. IV.

TO

MR. THOMAS RICH[a],

LATE OF LONDON, ESQ.

Great is the praise St. Paul[b] *gives to Gaius, styling him his host, and of the whole church. Surely the church then was very little, or Gaius his house very large. Now hosts commonly are corpulent persons, but Gaius not so, it being more than suspicious that he was afflicted with a faint and feeble body, as may be collected from the words of St. John,* I wish that thou mayest prosper and be in health, even as thy soul prospereth[c].

You are, sir, the entertainer general of good men; many a poor minister will never be wholly sequestered, whilst you are living, whose charity is like to the wind, which cannot be seen but may be felt: and God hath dealt with you more

[a] [I have been able to discover no trace of this generous individual. A reference to one of the same name (to me it seems to be characteristic of this person) occurs in Malcolm's Londinium Redivivum, I. 63, where, among the donations to the church of St. Mary at Axe, this entry is found: "1673, One book "of sir Walter Rauley's His- "tory of the World; and "one other book, bishop An- "drews his Sermons, being the "gift of Mr. Thomas Rich." There is also in the same volume p. 69, a notice of a gift of sir Thomas Rich of 400*l.* for morning and evening prayers daily in St. Andrews, Undershaft. The coat of arms assigned to him is that of his relation taken from the old plate of the arms of the abbeys.]

[b] Rom. xvi. 23.

[c] 3 John 2.

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bountifully than with Gaius, blessing you in all dimensions of soul, body, and estate; and my prayers shall never be wanting for the continuance and increase thereof.

English ambassadors sent to Basil.

THIS year began the smart and active council of Basil, to which our ambassadors were to represent both their sovereign and the English nation; where they were received with honour and respect, the reputation of king Henry his holiness adding much to their credit; foreigners there being very inquisitive of them, to be satisfied in the particulars of his devotion, which by them was represented much to their master's advantage. But it is worth our pains to peruse the commission they carried with them.

Rex omnibus ad quos &c. salutem [d]. Sciatis quod, cum juxta decreta Constantiensis concilii, præsens concilium Basileense actualiter celebretur sub sanctissimo patre domino Eugenio papa quarto: Nos eidem concilio, nedum ex parte ejusdem concilii per suos oratores nobis ex hac causa

"The king to all whom &c. "greeting. Know that according "to the decrees of the [late] council "of Constance, the present coun- "cil of Basil is actually cele- "brated under the most holy "father, lord Eugenius the fourth "pope: We being often insti- "gated to be present at the same "council, not only on the behalf

[d] [Collated with the original. Rot. Pat. 12 Hen. VI. p. 1. m. 2. Another copy of this commission is in the Patent Rolls, 12 Hen. VI. p. i. m. 6. (printed by Rymer, Fœdera X. 588,) which omits some of the names given by Fuller, and rather agrees with that printed in the preface to Browne's Fasciculus. See again also, Fœd. X. 595, 603. The permissions to be present at the council were very numerous; and several are printed in the Fœdera, X. 570, sq. The names between brackets are not in the first commission.] The Latin running on all in one continued sentence, we are fain to divide it into many, for the more clearness.

specialiter destinatos, verum etiam apostolicis et imperialibus, ac aliorum quamplurium sanctæ matris ecclesiæ patrum, et principum secularium, literis creberrime instigati, ad Dei laudem, sanctæ matris ecclesiæ prosperitatem optatam et honorem, et præsertim ob fidei catholicæ exaltationem, interesse cupientes; variis et diversis causis rationabiliter præpediti, quo minus personaliter eidem interesse poterimus, ut vellemus; venerabiles in Christo patres, Robertum Londoniensem[e], [Philippum Lexoviensem,] Johannem Roffensem[f], [Johannem Bajocensem] et Bernardum Aquensem[g] episcopos, ac carissimum consanguineum nostrum[h] Edmundum Co-

" of the same council, by their A. D. 1453. 12 Hen. VI.
" orators, especially despatched
" to us for that purpose, but also
" by the letters apostolical and
" imperial, and the letters of very
" many other fathers of the holy
" mother church, and of secular
" princes: And we desiring to
" be present thereat, to the praise
" of God, prosperity of the holy
" mother church, and her desired
" honour, and chiefly for the ex-
" altation of the catholic faith;
" being on just reason hindered
" with many and several occa-
" sions, cannot, as we would, be
" personally present thereat:
" Wherefore by these presents
" we constitute, make, and de-
" pute, the venerable fathers,
" Robert bishop of London, [Phi-
" lip bishop of Lisieux,] John

[e] [See his letters of safe-conduct &c. in the Fœdera, X. 577, 582, 608.]

[f] [See the Fœdera, X. 570.]

[g] [See the Fœdera, X. 570. Dr. Heylyn in "The Appeal" &c. l. ii. p. 47=445. (new edition) after observing that the English never had any power in Provence, says, "Bernard, whom the Latin calls "Episcopus Aquensis, is very "ill taken by our author to be "bishop of Aix. He was indeed bishop of Acque or Aux "in Guienne, called anciently "Aquæ Augustæ, from whence "those parts of France had the "name of Aquitain; and not "of Aix, which the ancient "writers called Aquæ Sextiæ, "in the country of Provence. "Now Guienne was at that time "in the power of the kings of "England, which was the reason why this Bernard was "sent with the rest of the "commissioners to the council "of Basil; and being there, "amongst the rest, maintained "the rights and preeminences "of the English kings."]

[h] [See the Fœdera, X. 570, 578.]

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mitem Moritonii[i], dilectos nobis in Christo Nicholaum abbatem Glastoniensem, Willelmum abbatem ecclesiæ beatæ Mariæ Eborum[k], Willelmum priorem Norwicensem, nec non dilectos et fideles nostros[l], Henricum Brouneflete militem, magistrum Thomam Broune[m] utriusque juris doctorem, Sarum decanum, et Johannem Colville militem[n], [magistrum Petrum Mauricii[o] doctorem in theologia, et magistrum Nicholaum David archidiaconum Constantiensem et Licentiatum in utroque jure,] nostros ambassiatores, oratores, veros et indubitatos procuratores, actores, factores, et nuncios speciales constituimus, facimus et deputamus, per præsentes dantes et damus eis et ipsorum majori parti potestatem et mandatum tam generale quam speciale nomine nostro et pro nobis in eodem concilio interessendi, tractandi, communicandi et concludendi tam de hiis quæ fidei orthodoxæ

" bishop of Rochester, [John " bishop of Baieux] and Bernard " bishop of Aix, and our most dear " cousin Edmund earl of Mor- " ton, our beloved Nicolas abbot " of Glaston, William abbot of St. " Mary's in York, and William " prior of Norwich, and our be- " loved and trusty Henry Broum- " flete, knight, Mr. Thomas " Brown, doctor of laws, dean of " Sarum, John Coluille, knight, " Mr. Peter Fitz-Maurice, D. D. " and Mr. Nicholas David arch- " deacon of Constance, and licen- " tiate in both laws, our ambas- " sadors, orators, true and un- " doubted proctors, actors, factors, " and special messengers; Giving, " and we give to them, and the " greater part of them, power " and command, as well general " as special, in our name, and for " us, to be present in the same " council, to treat, debate and " conclude, as well of these things " which may concern the support " of the orthodox faith, the paci- " fication of kings and princes, as

[i] [See the Fœdera, X. 577, 587. Mortaigne of Southwark in com. Surrey. Fœd. X. 578.]

[k] [See the Fœdera, X. 586, 603.]

[l] [See the letters of safe-conduct granted him, in the Fœdera, X. 576.]

[m] [See the Fœdera, X. 577.]

[n] [See his letters of safe conduct in the Fœdera, X. 578.]

[o] Or Maurison.

fulcimentum, regumque ac principum pacificationem concernere poterunt, nec non de et super pace perpetua guerrarumve abstinentia inter nos et Carolum adversarium nostrum de Francia, ac etiam tractandi, communicandi et appunctuandi, consentiendi insuper, et si opus fuerit dissentiendi hiis, quæ juxta deliberationem dicti concilii inibi statui ac ordinari contigerit. Promittentes et promittimus bona fide nos ratum, gratum et firmum perpetuo habiturum[p] totum, et quicquid per dictos ambassiatores, oratores, et procuratores nostros aut majorem partem eorundem, actum, factum, seu gestum fuerit in præmissis, et in singulis præmissorum, et hoc idem cum de et super hiis certiorati fuerimus quantum ad nos et Christianum principem attinet, executioni debitæ curabimus demandare. In cujus rei testimonium has literas nostras fieri fecimus patentes.

Dat. sub Magni Sigilli nostri testimonio in palatio nostro West. 10 die Julii.
Per Concilium.

" also upon either a perpetual A.D. 1434.
" peace, or else a cessation from 12 Hen. VI.
" war, betwixt us and Charles of
" France our adversary. Em-
" powering them also to treat,
" commune, and appoint, more-
" over to consent, and if need be,
" dissent, in those things which
" shall happen there to be esta-
" blished and ordained, according
" to the deliberations of the afore-
" said council. Promising, and
" we do promise, on good faith,
" that whatsoever shall be acted,
" done, or managed, in the pre-
" mises, and every one of them
" by our aforesaid ambassadors,
" orators, and proctors, or the
" greater part of them, we shall
" have and account for ratified,
" welcome, and firm for ever.
" And when we shall be certified
" of and upon the same, we shall
" care to command the due exe-
" cution, so far as appertaineth
" to us, and a Christian prince.
" In witness whereof, we have
" made these our letters patent.

" Given under our great seal,
" being our witness, in our
" palace at Westminster,
" July 10."

[p] Habiturum in MS.

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So eminent an instrument of so great importance must not pass without some of our observations thereupon.

Why the pope declines general councils in our age.

2. The council of Basil is said to be assembled according to the decrees of the late council of Constance, wherein it was constituted, that within so many years a general council should be called. For seeing the church was subject to contract rust in doctrine and manners, frequency of councils was conceived the best way to scour the same. But the pope lately hath willingly forgotten this canon, no general council being called since that of Trent, wherein all the power and profit of the pope was secured under the notion of articles of the faith; since which time his holiness thought it not safe to tamper with a new council, as which might impair, but could not improve his condition.

England must send four, might send more bishops to a general council.

3. See we here fourteen ambassadors sent to Basil, bishops five, earl one, (not that he was to vote in the council, but only behold the transactions thereof,) abbots two, prior one, knights two, doctor in divinity one, doctors of law two, all interests being in them represented; when therefore we read in Roger Hoveden and others[r], *ad generale concilium domini papæ, quatuor episcopi de Anglia tantum Romam mittendi sunt*, "only four English bishops are to be "sent to Rome to a general council of the pope," understand it that such a number is sufficient. England needed to send but so many, though, if pleased, might send more, confined by no other command save the king's free discretion. And seeing Basil was little above the half way to Rome, the

[r] Simeon Dunelmen. (?)

journey being shorter, the more messengers were employed. A. D. 1434. 12 Hen. VI.

4. The three French bishops sent by the king speak the great command, which king Henry as yet had in France, especially, if as I take it, by Aquensis Aix be mentioned, sited in the furthermost parts of Provence, though even now the English power in France was a waning. English puissance in France.

5. John, bishop of Rochester, here mentioned, was John Langdon, intruded by the pope into that bishopric, to the apparent prejudice of the archbishop of Canterbury. For the bishop of Rochester was accounted Canterbury's chaplain, to whom he owed his spirituals and temporals as his patron and founder; though now the pope, contrary to the archbishop's will and right forced this Langdon into the place[s]. But indeed he was a learned man[t] (dying this year in his embassy at Basil) and deserved far better preferment than the poor bishopric of Rochester. But yet, as some observe of tailors, that they make the largest garments when they have the least cloth allowed them; so the poor bishopric of Rochester hath fared better than many richer sees, seeing sacrilege would never feed on so bare a pasture. Langdon the learned bishop of Rochester.

6. Observe the method in the nomination of these commissioners, wherein no wonder if the bishops precede so great an earl; was it not fit that reverend fathers should be placed before a dear cousin? Be- Precedents for precedency.

[s] [In 1422. See Godwin de Præsul. Angl. 534.]

[t] [" Summa eruditionis laude " enituit:" Wharton's Angl. Sac. i. 380. Nothing from his pen has been published, little perhaps now exists in MS., although Thomas Rudborne, who wrote the *Annales Ecclesiæ Wintoniensis* (published in Wharton, ib. p. 287.), refers to the writings of this bishop.]

A. D. 1434. 12 Hen. VI. sides, the employment being of church concernment, spiritual persons carried it clear in the race of dignity. More strange it is to find herein a knight, Henry Broumflete, put before a doctor of both laws, and yet John Colville, another knight, placed after the same doctor. I confess the contest very ancient about priority betwixt a knight and a doctor of law, ever since the comparison which Tully made betwixt Lucius Murena, a knight of Rome, and Publius Sulpitius a lawyer, either of them standing for the consulship [u]. Though now in England the precedency of the knight be indubitable, since preferment is taken from civil law, and the professors thereof shut up, as it were, in a narrow corner of their own faculty. But we leave the critical decision thereof, to his pen who hath wrote a just tract of the glory (in truth of the vanity) of this world [v], and exactly stated this particular with all the circumstances thereof.

A charitable and no impolitic offer.

7. Whereas the king empowereth those his commissioners to meddle in the point of his right of the realm of France, with king Charles his competitor, submitting his title to be discussed in the council, it carrieth with it a confidence of his own right, and charitable desire to save the effusion of Christian blood; but this was not council but camp-work; and we meet not with the mention hereof once touched on in this great assembly. However, so wary was king Henry, (or rather his council,) as not absolutely to tie up his title to the decision of this council, but to give his commissioners a negative voice in case they see cause to dissent.

[u] In Orat. pro Murena.

[v] Chassanæus de gloria mundi. [part IX. p. 326. ed. 1617.]

8. The general history of the church reporteth the acts of this council, how they deposed pope Eugenius and substituted Felix in his room; for which, and other decisions therein, Rome beholds this council but with bad eyes unto this day. We will only meddle with a difference therein which concerned our own nation. The orators of several kings began to take their places, according to their birthrights; dating their age from their nation's first receiving of Christianity. Here arose the controversy of course about precedency, betwixt the English and Castile ambassadors; the former alleging Britain's conversion by Joseph of Arimathea; which Alphonsus Garcias de Sancta Maria, dean of Compostella and Segovia, doctor of law, and ambassador for Castile, with a speech more tedious than his name and titles, much endeavoured to disprove; and his arguments may be reduced to these four heads [w].

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A contest betwixt the English and Castilians about precedency.

i. First, he denied Joseph's arrival in Britain, and imposed the proof thereof on the English who affirmed it, challenging them to produce any authentic record for the same.

ii. Secondly, he urged probability to the contrary, out of the Golden Legends, or Flores Sanctorum [x], where it is reported, how Titus, taking Jerusalem, caused a thick wall to be digged through, and therein found an aged man, who confessed himself to be Joseph of Arimathea, there imprisoned by the Jews for burying of Christ; and that ever since he had

[w] Ex Schedis Cottonianis. [Printed in Usher's Antiq. Eccl. Britannicæ, p. 13, from whom Fuller obtained his information.]

[x] ["Sub Legenda Jacobi Minoris." Usher, ib. 13.]

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been fed with meat from heaven [x]. Hence he inferred, that if Joseph were in durance all this while in the wall, he could not, as the English pretended, come over into Britain to plant the gospel.

iii. Thirdly, grant that Joseph, after his enlargement by Titus, preached in Britain, which must needs be after the year of our Lord seventy and two, Spain long before had received the gospel by the preaching of James the apostle.

iv. Fourthly, be it granted that Joseph did preach in England, it was but in a corner thereof, the grand body of Britain remaining pagan many hundred years after.

These arguments he uttered with such an affected gravity, as if he could have made the matter the more by pronouncing the words the longer.

The English their answer.

9. The English easily answered these exceptions, proving James to be slaughtered at Jerusalem by Herod [y] before his pretended preaching in Spain; seeing their own countryman and an archbishop of Toledo confesseth as much [z]. They produced many ancient testimonies for the preaching of Joseph in Britain, the fond fable of his being kept in a wall being beneath confutation, as attested only by a worthless author, Joannes de Voragine [a]. Their

[x] [This is exceedingly pleasant, to set up one man of straw to knock down another; the credit of the Golden Legends against Capgrave's Legenda Sanctorum and the Glastonbury Chronicle. Usher observes on Garcias' speech quaintly enough; "In quibus "quædam sunt levia admodum, "nonnulla etiam oppido ridi- "cula."]

[y] Acts xii. 2.

[z] Rodericus Ximenius in concertatione de primatu cum præsule Compostellano in Concil. Lateran, anno 1215. [Printed in Usher, ib. p. 14. See also Harduin's Concil. vii. 79.]

[a] [Upon this passage Dr. Heylyn remarks, in "The Appeal, &c." lib. ii. p. 47, "In "agitating of this controversy

allegation that Britain was but partially converted by his preaching was but impertinent to the present purpose, the point controverted not being of the universality but the antiquity of first receiving the Christian faith. Besides, neither James nor any other disciple ever converted a kingdom totally and entirely to Christianity. However, nothing was concluded in this controversy, always agitated, never decided, A.D. 1434. 12 Hen. VI.

i. In the council of Pisa, anno 1409.

" as it stands in our author, I " find mention of one 'Johan- " nes de Voragine, a worthless " author,' &c. Mistook both in " the name of the man and his " quality also; for, first, the " author of the book called " 'Legenda Aurea,' related to " in the former passage, was " not Johannes but Jacobus de " Voragine; in which book " though there are many idle " and unwarrantable fictions, " yet, secondly, was the man of " more esteem than to pass " under the character of a " 'worthless author,' as being " learned for the times in " which he lived, archbishop " of Genoa, a chief city of " Italy, 'et moribus et digni- " tate magno pretio,' as Phi- " lippus Bergomensis telleth " us of him, anno 1290, at " what time he lived; most " eminent for his translation " of the Bible into the Italian " tongue, as we read in Vos- " sius De Lat. Hist., [ii. 6.] a " work of both great difficulty " and danger as the times then " were; sufficient, were there " nothing else, to free him " from the ignominious name " of 'a worthless author.'" To this Fuller replies, "I here " enter my public thanks to " the animadvertor: Jacobus " de Voragine (so it seems was " his name) was a better au- " thor than I took him for; " indeed, having read that " Melchior Canus called the " author of some legends a " man 'ferrei oris et plumbei " cordis,' (one of an iron face " and leaden heart,) I con- " ceived him intended therein. " But if he did translate the " Bible into Italian, as I have " cause to believe, knowing " nothing to the contrary, it " was, as the animadvertor " saith well, 'a work of great " both difficulty and danger, as " the times then were.' I con- " fess I have formerly, in the " table of my esteem, placed " this Voragine as the very lag " at the lowest end thereof; " but hereafter I shall say to " him, 'Come up hither,' and " provide a higher place for " him in my reputation."]

A. D. 1434. 12 Hen. VI. ii. In the council of Constance, 1417, betwixt the ambassadors of England and France [b].

iii. In the council of Sienna, [1424,] before Martin the Fifth, pope; wherein Richard Flemyng, bishop of Lincoln, encountered France, Spain, and Scotland about precedency.

Lastly, betwixt England and Spain, in the council of Basil, [1434,] though therein nothing concluded, those politic prelates accounting it better to keep both princes in hope by discussing than to put one into anger by deciding it. Yea, they loved to set up this controversy (as that of the precedence of Cambridge and Oxford in English parliaments) out of design, sometimes to delay time; sometimes, by starting it, to stop and divert more dangerous disputes.

A. D. 1437. All Souls college in Oxford founded. 10. Henry Chichele, doctor of law, archbishop of Canterbury, founded a college in Oxford, by the name of All Souls, for a warden and forty fellows, which number by statute was never to be augmented or impaired; and all void places, by death or otherwise, once in a year to be supplied [c].

[b] [See a tract entitled "Nobilissima disceptatio super "dignitate et magnitudine regnorum Britannici et Gallici "habita ab utriusque oratoribus et legatis in Concilio "Constantiensi." Lovanii, 1517.]

[c] [The archbishop had his breeding in Oxford, and was made perpetual fellow of New College, Oxford, in the year 1387. See Wood's History of the University, p. 252. He was raised to the see of Canterbury in 1414, and died in 1443.]

A. D. 1437. 15 Hen. VI.

Wardens.	*Bishops.*	*Benefactors.*	*Learned Writers.*
[1437.] 1. Dr. Richard Andrews, LL.D.	James Goldwell, bishop of Norwich, 1472.	King Henry the Sixth, at the procurement of the founder, gave four Priories Alien, viz. Alberbury, Romney, Wedon-Pinkeney, and Llangenith [f].	
2. Mr. Roger Keyes.			
[1445.] 3. Mr. William Kele.	Gilbert Bourn, bishop of Bath and Wells, 1554.		
[1459.] 4. Dr. William Poteman.			
[1466.] 5. Mr. John Stokys.	Giles Tomson, bishop of Gloucester, 1611.	Queen Elizabeth confirmed the parsonage of Staunton Harcourt.	
[1494.] 6. Thomas Hobbys.			
[1503.] 7. Mr. William Broke.			
[1524.] 8. Mr. John Coale.		Reginald Pole, cardinal, archbishop of Canterbury.	Sir Clement Edmonds.
[1527.] 9. Dr. Robert Woodward.			
[1533.] 10. Mr. Robert Stokeley.	Brian Duppa, bishop of Sarum, fellow of this house [e].	Sir William Petre, fellow of this college, and secretary to four kings and queens.	Dr. [Robt.] Gentilis, an excellent civilian.
[1535.] 11. John Warner, M.D.			
[1555.] 12. Mr. Seth Holland.			Dr. [Rich.] Steward.
[1558.] 13. Mr. John Pope.			
[1558.] John Warner, a second time.			Mr. [Dudley] Digges [g].
[1565.] 14. Mr. Richard Barber.			
[1571.] 15. Mr. Robert Hoveden.			
[1614.] 16. Dr. [Richard] Mocket.			
[1618.] 17. Dr. [Richard] Astley.			
[1635.] Dr. Sheldon [d];			
[1648.] Dr. Palmer.			

[d] [These two names were left thus, without numbers indicating their succession, because Dr. Sheldon was ejected by the parliament, and imprisoned by them in 1648; during which time they put in Mr. Palmer, a student in physic, who held the wardenship until March 4, 1660. On his death, the Restoration being generally expected, Dr. Sheldon was restored.]

[e] [Twenty bishops are reckoned in Wood as having belonged to this college, to the death of the hon. Brownlow North, bishop of Winchester, in 1781. Ib. p. 274.]

[f] [Probably some portion of the alien priories, which were suppressed to the number of 120, and given to this king's father in 1414. See Stow's Chron. 345. According to a note in Wood, referring to the

A. D. 1437. 15 Hen. VI. So that at this present this college hath one warden, forty fellows, two chaplains, three clerks, six choristers, besides officers and servants of the foundation, with other students, the whole number being seventy. The fellows of this college are bound by their statutes to be *bene nati, spendide vestiti, et mediocriter docti in plano cantu.*

Know, reader, I was promised by my respected friend, Dr. Jeremy Taylor, (late fellow of this house,) well known to the world by his worth, a catalogue of the eminent scholars thereof; but it seems the press, like time and tide, staying for no man, I have not been so happy seasonably to receive it.

A. D. 1443, May 3. A tart jeer soberly returned. 11. Six years did this archbishop survive the first founding of this college. He was a worthy man in his generation, had not his vassalage to the pope (the epidemical disease of those days) engaged him in cruelty against the poor professors of the truth. Most of the synods called by him toward the latter end of his life effected only the advance of money, the clergy being very desirous to buy off the penalty of a *præmunire*, so pernicious to their proceedings,

letters patent of 21 Hen. VI., these priories were not begged but purchased of the king by the archbishop for 1000 marks. Hist. of the University, 260.]

g [Fuller must have been very hard pressed to find learned writers in this college, not one of those who are here mentioned (except perhaps Dr. Steward) having the least reputation for authorship. But Robert Gentilis, who, as Wood says, "turned a rakehell, and became king of the beggars," and might with the same propriety have figured as a hero in the Dunciad, has not the least claim to distinction. Author he was none; but as an indifferent translator of two or three unimportant works, he has won a place in some obscure biographical collections. I cannot help thinking, therefore, that Fuller confounded him with his father, Dr. Albericus Gentilis, a learned civilian, and a man of considerable eminence, who studied at New Inn in the university of Oxford; of whom see Wood's Athenæ, I. 367.]

but could not completely compass the same[h]. I have nothing else to observe of archbishop Chichele, save the common tradition how king Henry the Sixth, acted herein by some misoclere-courtiers, (otherwise in himself friend enough to churchmen,) sent this archbishop, for a new-year's gift, a shred-pie indeed, as containing pieces of cloth and stuff, of several sorts and colours, in jeer, because his father was a tailor at Higham-Ferrers, in Northamptonshire. The archbishop thankfully received the gift, even after he had seen the entrails thereof, and courteously entertained the messenger, requesting him to return to his grace, "If my lord the king do "but as far exceed Henry the Fifth, (whom God "assoil,) his father, as my meanness hath gone "beyond my poor father, he will make the most "accomplished monarch that ever was in Christen-"dom." John Stafford, one of noble parentage, succeeded in the place of Chichele, deceased[i]. A.D. 1443. 21 Hen.VI.

12. This good precedent of the archbishop's bounty may be presumed a spur to the speed of the king's liberality, who soon after founded Eaton College, incorporate by the name of *Præpositi et Collegii Regalis Col. Beatæ Mariæ de Eaton juxta Winsor.* It seemeth these words, *Beatæ Mariæ*, are so necessary, that being left out in a lease, (wherein all the other titles of the foundation were A.D. 1446. The founding of Eaton College.

[h] [See Parker, De Antiq. Eccl. Britan. p. 426; Stow's Chron. 383.]

[i] [A noble answer to a very silly jest, which if really Henry VI. did execute, one would feel inclined to wish that his desire had been accomplished:

"Methinks it were a happy life
To be no better than a homely swain."

III. Part of Hen.VI., act ii. scene 2.

But I cannot find any authority for this anecdote. Chichele died April 12, 1443.]

A. D. 1446. 24 Hen. VI. inserted at large,) the said lease was adjudged void for that omission [k]. But know, this verdict passed in queen Mary's days, when *Regina Maria* made the mention of *Beatæ Mariæ* so essential thereunto.

The bad poetry of that age.

13. Indeed it was high time some school should be founded, considering how low grammar-learning ran then in the land, as may appear by the following verses made for king Henry the founder; as good, no doubt, as the generality of that age did afford, though (scarce deserving translation) so that the worst scholar in Eaton College that can make a verse can make a better.

Luce tua, qui natus erat, Nicolae, sacer rex
Henricus Sextus hoc stabilivit opus,
Unctum qui lapidem postquam ponebat in Eaton
Hunc fixit clerum commemorando suum.
Astiterant illi tunc pontifices in honorem
Actus solennis regis et ecclesiæ.
Ex Orientali [l] *si bis septem pedetentim*
Mensurare velis, invenies lapidem;
In festo sancti Jacobi sanctam stabilivit
Hic unctam petram regia sacra manus.

Annis M. CCCC. sexto quater Xque,
Regis et H. regni quinto jungendo vicena.

Devout king Henry, of that name the sixt,
Born, Nic'las, on thy day, this building fixt.
In Eaton having plac'd a stone anointed,
In sign it for the clergy was appointed.
His prelates then were present, so the more
To honour the king's acts and holy chore.

[k] Abridgment of Judge Dyer's Reports, Num. 379. Trin. Term, 4° Mariæ, [p. 114. By sir Thos. Ireland. 1651.]

[l] Medio.

From eastern midst, whereof just fourteen feet, A.D. 1446.
If any measure, they this stone shall meet. 24 Hen. VI.
On holy James his day, the sacred hand
Of royal Henry caus'd this stone to stand.

M. four C.s forty-six since Christ was born,
When H. the crown twenty-five years had worn [m].

14. This college consisteth of one provost, fellows, a schoolmaster and usher, with king's scholars, besides many *oppidanes*, maintained there at the cost of their friends; so that were Eaton, as also Winchester-school, removed into Germany, they would no longer be accounted *scholæ*, but *gymnasia*, a middle term betwixt a school and an university. The provostship of Eaton is accounted one of the genteelest and entirest preferments in England, the provost thereof being provided for in all particulars, to the very points of his hose, (my desire is one tag of them may not be diminished,) and, as a pleasant courtier told king Henry the Eighth, an hundred pound a year more than enough [n]. How true this is I know not: this I know, if some courtiers were

A bountiful foundation. God continue it.

[m] Viz. current otherwise, but 24 complete.

[n] Sir John Harrington, [in his Nugæ Antiquæ, ii. p. 95. "It was said that a pleasant "courtier and servitor of king "Henry VIII., to whom the "king had promised some good "turn, came and prayed the "king to bestow a living on "him that he had found out "worth 100*l.* by the year more "than enough. 'Why,' saith "the king, 'we have none such "in England.' 'Yes, sir,' said "his man, 'the provostship of "Eaton; for,' said he, 'he is "allowed his diet, his lodging, "his horse-meat, his servants' "wages, his riding charge, his "apparel, even to the points "of his hose, at the college "charge, and 100*l.* by the "year beside.' How true this "is I know not; but this I "know, that Mr. Day, having "both this and the deanery of "Windsor, was persuaded to "leave them both, to succeed "him that had been once his "vice-provost of Eaton in the "church of Winchester."]

A. D. 1446. 24 Hen. VI. to stint the enough of clergymen, even the most industrious of them should (with Solomon's slothful man [o]) have poverty enough. But take here a catalogue of the provosts of Eton:

i. Henry Seilver, [or Sever,] D. D., almoner to king Henry the Sixth.

ii. William Waynfleet, B. D., afterwards bishop of Winchester, [preferred thither in 1447.]

iii. John Clerk, B. D., died provost the 7th of November, 1447.

iv. William Westbury, B. D., chosen provost anno 1448.

v. Henry Bost, B. D.; he gave an hundred marks and twenty pounds per annum to the college; died the 7th of February, 1503.

vi. Roger Lupton, B. D. [died in 1540.]

vii. Robert Aldridge, afterwards bishop of Carlisle, [preferred thither in 1537.]

viii. Sir Thomas Smith, doctor of law, of Queen's College in Cambridge, chosen anno 1554. [1547.]

ix. Henry Cole, D. D. and law, chosen in the same year, 1554.

x. William Bill, D. D., almoner to queen Elizabeth, chosen July 5, 1559.

xi. William Day, B. D., dean also of Windsor, chosen Jan. 5, 1561, afterwards bishop of Winchester.

xii. Sir Henry Savile, warden of Merton College in Oxford, chosen 3rd of June, 1596, eminent to all posterity for his magnificent edition of Saint Chrysostom, in Greek.

[o] Prov. xxviii. 19.

xiii. Thomas Murray, esq., tutor and secretary to king Charles, whilst prince. [chosen in 1621.] A.D. 1446. 24 Hen. VI.

xiv. Sir Henry Wotton [p], famous for several embassies, chosen 1625. [1624.]

xv. [Richard] Steward, doctor of law, and dean of St. Paul's. [chosen 1639.]

xvi. Francis Rouse, esq. [chosen 1643.]

This Eaton is a nursery to King's College in Cambridge. All that I will add is, to wish that the prime scholars in this school may annually be chosen to the university; and when chosen, their places may fall accordingly, not by the death of those in King's College, but their advancement to better preferment in the church and commonwealth.

15. If we cast our eyes on the civil estate, we shall find our foreign acquisitions in France, which came to us on foot, running from us on horseback. *Nulla dies sine civitate*, scarce a day escaping wherein the French regained not some city or place of importance; so that the English, who under king Henry VI. had almost a third of France, besides the city of Paris, (another third in itself, for wealth and populousness,) soon lost all on the continent, to the poor pittance of Calais and a little land, or, if you will, some large suburbs round about it. A.D. 1447. All quickly lost in France.

16. Yet let not the French boast of their valour, but (under God's providence) thank our sins, and particularly our discords, for their so speedy recoveries. There were many clefts and chaps in our council-board, factions betwixt the great lords present thereat; and these differences descended on Occasioned by the English discords.

[p] Whose Life is excellently written by my worthy friend Mr. Isaac Walton.

A.D. 1447. 25 Hen. VI. their attendants and retainers, who, putting on their coats, wore the badges as well of the enmities as of the arms of their lords and masters. But behold them how coupled in their antipathies:

Deadly feud betwixt

Edmund Beaufort, duke of Somerset.
Richard Plantagenet, duke of York.

Humphrey Plantagenet, duke of Gloucester.
Henry Beaufort Cardinal, bishop of Winchester.

William de la Pole, duke of Suffolk.
John Holland, duke of Exeter.

Humphrey Stafford, duke of Buckingham.
Richard Nevill, earl of Warwick.

Humphrey Plantagenet, duke of Gloucester.
William de la Pole, duke of Suffolk.
Richard Nevill, earl of Warwick.

Betwixt the three last there was, as it were, a battle royal in this cockpit, each of them hating and opposing another. In all these contests their ambition was above their covetousness, it being every one's endeavour not so much to raise and advance himself as ruin and depress his adversary.

The death of Humphrey, duke of Gloucester.

17. Two of the aforesaid principal persons left the world this year, and in the same month: first, Humphrey duke of Gloucester, brother to king Henry the Fifth, uncle and guardian to king Henry the Sixth, a great housekeeper. Hospitality being so common in that age, none were commended for the keeping, but condemned for the neglecting thereof. He was much opposed by queen Margaret,

(who would have none rule the king her husband save herself,) and accused of a treacherous design; insomuch that at a packed parliament at Bury he was condemned of high treason, and found dead in his bed, not without rank suspicion of cruel practices upon his person [q]. A.D. 1447. 25 Hen. VI.

18. His death is suspended betwixt legal execution and murder, and his memory pendulous betwixt malefactor and martyr. However, the latter hath most prevailed in men's belief; and the good duke of Gloucester is commonly his character [r]. But it is proper for some Oxford man to write his just vindication, a manual in asserting his memory being but proportionable for him who gave to their library so many and precious voluminous manuscripts. As for those who, chewing their meat with their feet whilst they walk in the body of St. Paul's, are commonly said to dine with duke Humphrey [s], the say- A fit work for a good pen.

[q] [Humphrey duke of Gloucester, being at the castle of the Vies, in Wiltshire, came from thence to the parliament, and was lodged in the hospital, where shortly after he was arrested by John lord Beaumont, high constable, the duke of Buckingham, the duke of Somerset, and others, who appointed certain of the king's household to wait upon him; but on the twenty-fourth day he died for sorrow, as some said, that he might not come to his answer. His body was shewed to the lords and commons, and seemed to die of a palsy or of an impostume. He was honourably buried at St. Albans. Thirty-two of his principal servants were arrested, and five of them arraigned at London for his death, but saved by the duke of Suffolk. See Stow's Chron. p. 386.]

[r] [Generous he might be, but certainly not good, though Bale styles him so. Script. 583, 585.]

[s] [Some further remarks upon this proverb occur in the Worthies, p. 198. "This pro-" verb," our author observes, "hath altered the original " meaning thereof; for first it " signified *aliena vivere quadra*, " to eat by the bounty or feed " by the favour of another " man. For Humphrey duke " of Gloucester, commonly " called the good duke, was so

A. D. 1447. 25 Hen. VI.

ing is as far from truth as they from dinner, even twenty miles off; seeing this duke was buried in St. Alban's, to which church he was a great benefactor [t].

The death of the rich cardinal.

19. The same month with the duke of Gloucester died Henry Beaufort, bishop of Winchester, and cardinal [u], one of high descent, high spirit, and high preferments, hardly to be equalled by cardinal Wolsey (otherwise but a pigmy to him in birth) for wealth and magnificence. He lent king Henry the Fifth at once twenty thousand pounds, who pawned his crown unto him [x]; he built the fair hospital of

" hospital that every man of " fashion otherwise impover- " ished was welcome to dine " with him, it not being so " proper for strangers to sup " in those days with the great- " est housekeepers. The said " duke was so bountiful that " his alms-dish of silver was " very massy when empty, " (what then when full?) " which alms-dish came after- " wards into the possession of " the duke of Somerset, who " sent it to the lord Rivers to " sell the same to furnish him- " self for a sea-voyage. But " after the death of the good " duke Humphrey, when many " of his former alms-men were " at a loss for a meal's meat, " this proverb did alter its " copy, to dine with duke " Humphrey importing to be " dinnerless."]

[t] [Mistaking his tomb for that of sir John Beauchamp, constable of Dover. Stow's Survey, p. 368.]

[u] [And uncle to the duke of Gloucester.]

[x] [Whilst stating this fact from Godwin, Fuller ought not to have concealed the reason for it, as stated by Godwin: the king had contracted great debts by his continual wars, and to alleviate his wants began to cast his eyes upon the possessions of the church; in order, therefore, to prevent this evil, the cardinal lent him such an enormous sum. Another instance of this cardinal's magnificence is also mentioned in the Chronicle of Croyland, which tells us that at his own expense he crowned king Henry VI. at Paris. (p. 516.) Another continuation of the same Chronicle gives an account of the cardinal's death, as witnessed by one actually present, which is so greatly different from the popular belief respecting him that I think it necessary to insert it here. " Whilst making these re- " marks," says the writer, " there occurs to me a nota- " ble act of that glorious and " catholic man, the said car-

St. Cross, near Winchester[y]; and although chancellor of the university of Oxford, was no grand benefactor thereunto, in proportion to his own wealth (commonly called the rich cardinal) or the practices of his predecessor Wickham, or successor Waynfleet. A D. 1447. 25 Hen. VI.

20. The bishops assembled in parliament laboured the recalling of the act of *præmunire*, and no wonder if galled horses would willingly cast off their saddles; but belike they found that statute girt too close unto them, the lords and commons stickling stoutly for the continuance thereof. And because this is the last time we shall have occasion to mention this statute, and therefore must take our farewell thereof, it will not be amiss to insert the

The clergy move in vain against the statute of præmunire.

" dinal of Winchester, and I " would it were imitated by " others. When he was in " his mortal sickness, at his " palace of Wolnesey, near his " cathedral church of St. Swi- " thin's, in the said year 1447, " having called together into " the great chamber of his said " palace the ecclesiastics, reli- " gious and seculars of the " parts adjacent, on that day " of the week before Passion " Sunday in which the office " called *Sitientes* is sung, he " had his solemn exequies " chanted before him as he lay " in his bed, and with them a " requiem mass. Late in the " evening, after the perform- " ance of these exequies, his " last will and testament was " publicly read before all, and " he added certain corrections " to it; and the next morning, " after hearing mass, when he " had for the last time read his " will publicly, and confirmed " it with a clear audible voice, " he bade farewell to all pre- " sent, and died in the time " which I have before de- " scribed, — 'Qui enim hæc " scripsit adfuit et hæc omnia " vidit et audivit et scimus " quod verum est testimonium " ejus.'" p. 582.]

[y] [According to Dr. Heylyn this hospital was "first built " by Henry of Blois, brother " of king Stephen, and bishop " of Winchester, anno 1129, " augmented only and perhaps " more liberally endowed by " this potent cardinal." Appeal, &c., P. ii. p. 49. See Stow, p. 386.]

A. D. 1447. 25 Hen. VI.

ensuing passage, as relating to the present subject, though it happened many years after.

An eminent instance in Ireland of a priest indicted on the statute of præmunire.

21. One Robert Lalor, priest, a native of Ireland, to whom the pope had given the titulary bishopric of Kilmore, and made him vicar-general of the see apostolic within the archbishopric of Dublin, &c.[z], boldly and securely executed his pretended jurisdiction for many years, was indicted at Dublin, in Hilary term, *quarto Jacobi*, upon this statute of *præmunire*, made two hundred years before, being the sixteenth of Richard the Second. His majesty's learned counsel did wisely forbear to proceed against him upon any latter law, (whereof plenty in the reign of queen Elizabeth,) because recusants (swarming in that kingdom) might have their judgments convinced, that long before king Henry the Eighth banished the usurpation of the pope, the king, lords, and commons in England (though for the most part of the Romish religion) made strict laws for the maintenance of the crown against any foreign invasion. Whereupon, after the party indicted had pleaded at large for himself, the jury departed from the bar, and returning within half an hour, found the prisoner guilty of the contempts whereof he was indicted; whereupon the solicitor-general moved the court to proceed to judgment, and sir Dominic Sarsfield[a] (one of the justices of his majesty's chief pleas) gave judgment according to the form of the statute whereupon the indictment was framed. Hence it plainly appears that such misdemeanours

[z] Sir John Davys, in his [Irish Reports,] case of præmunire, f. 83. [where this case is related at length.]

[a] Idem f. 99.

of papists are punishable at this day, by virtue of those ancient statutes, without any relation to such as were enacted since the Reformation. A.D. 1447. 25 Hen. VI.

22. About this time Jack Cade raised his rebellion, like and unlike to the former commotion of Jack Straw[b]: like, first, because Jacks both, I mean, insolent, impudent, domineering clowns; secondly, both of them were Kentish by their extractions; thirdly, both of them pressed upon London, and there principally played their pranks; fourthly, both of them, after they had troubled the land for a short time, were justly slain, and their numerous rabble routed and dispersed. In other remarkables Cade differed from Jack Straw: first, Straw defied all nobility and learning, vowing and endeavouring their ruin and extirpation; whilst Cade pretended himself to be the lord Mortimer, and next heir to the crown, and no design against learning is charged on his account. Lastly, Straw's rebellion is, though most falsely, fathered by popish writers on Wicliffe and his adherents, to have occasioned (at leastwise connived at) his commotion; but I never met yet with any Romanists accusing the Lollards, as they term them, for having any hand in Cade's rebellion. A.D. 1450. Cade and Straw like and unlike.

23. Now began the broils to break out betwixt the two houses of Lancaster and York, so mutually heightened that scarce a county betwixt York (the place whence generally their armies started) and A.D. 1455. The wars begin betwixt York and Lancaster.

[b] [See Stow's Chron. p. 387. Cade was hardly other than an instrument in the hands of Richard Plantagenet, duke of York. Further, Straw's rebellion was for real grievances, but Cade's for the mere superiority of one political party over another.]

55. VI. London (the goal they both aimed to win) but a set battle hath been fought therein; and if any one shire lieth fallow in this kind, the next afforded a double crop in that nature, (besides other counties in the marches of Wales,) as by the ensuing catalogue will appear.

Place.	*Betwixt.*	*Time.*	*Number slain.*	*Conqueror.*
1. St. Alban's, in Hertfordshire c.	Richard duke of York, and king Henry the Sixth for Lancaster.	Anno 1455, and 34th of king Hen. VI. in June.	Slain on the king's side five thousand; on the duke's six hundred.	York House.
2. Blore Heath, in Staffordshire d.	Richard earl of Salisbury for York; James Touchet, lord Audley, for Lancaster.	Anno 1459, the 37th of Hen. VI. Septemb. 21.	Two thousand four hundred, most Cheshire men, slain on Lancaster side.	York House.
3. Northampton e.	Richard earl of Warwick for York, king Henry VI. for Lancaster.	Anno 1460, 38 Hen. VI. 9th July.	Ten thousand slain and drowned on both sides.	York House.
4. Wakefield, in Yorkshire f.	Richard duke of York, queen Margaret for Lancaster.	In the same year, Dec. 31.	Two thousand two hundred slain on York side, with their duke.	Lancaster.
5. Mortimer's Cross, in Shropshire g.	Edward earl of March, afterwards king, for York; [Jasper, earl of Pembroke, for Lancaster.]	Anno 1461, 39 Hen. VI. Feb. 2.	Three thousand eight hundred slain on Lancaster side.	York House.
6. St Alban's, in Hertfordshire h.	Richard earl of Warwick for York; king Henry and Margaret his wife, in person, for Lancaster.	The same year and month, 17th Feb.	About two thousand on both sides.	Lancaster.

c [See Stow's Chron. 398.]
d [Stow, ib. 405.]
e [Hall's Chron. p. 244, ed. 1809.]
f [Hall, ib. p. 250.]
g [Hall, ib. p. 251.]
h [The Lancastrians were headed by the queen only, the

A. D. 1455. 34 Hen. VI.

Place.	*Betwixt.*	*Time.*	*Number slain.*	*Conqueror.*
7. Towton, in Nottinghamshire [i]	Edward earl of March for York; king Hen. VI.	Same year, March 29, being Palm-Sunday.	Thirty-five thousand ninety and one on both sides.	York House.
8. Hexham, in Northumberland [k].	John Nevill, lord Montague; king Hen. VI. and the queen.	Anno 1464, 4 Edward IV. May 15.	Number great, but uncertain.	York House.
9. Banbury or Edgcot, in the confines of Oxford and Northampton-shire [l].	William Herbert, earl of Pembroke, for York; Robbin of Ridsdale, alias Hilliard, for Lancaster.	Anno 1469, 9 Edward IV. July 26.	Five thousand slain in the place, most of them Welshmen.	Lancaster.
10. Barnet, in Middlesex [m].	Richard Nevill, earl of Warwick, for Lancaster; king Edward IV. for York.	Anno 1471, 11 Edward IV. April 14, being Easter-day.	Four thousand slain on both sides.	York House.
11. Tewkesbury, in Gloucestershire [n].	King Edward IV. for York; queen Margaret and Edward her son for Lancaster.	In the same year, on the 4th of May.	Three thousand slain of the House of Lancaster.	York House.
12. Bosworth, in Leicestershire [o].	King Richard III. for York; Henry earl of Richmond for Lancaster.	Anno 1485, 3 Richard III. Aug. 22.	About four thousand slain in all.	Lancaster.

king being at this time in the hands of his enemies. See Hall, ib. 252, who observes, truly enough, "Happy was the "queen in her two battles, but "unfortunate was the king in "all his enterprizes; for where "his person was present there "victory fled ever from him to "the other part, and he com-"monly was subdued and van-"quished."]

[i] [Hall, ib. 255. Towton is in Yorkshire.]

[k] [Hall, ib. 259; Stow, p. 417.]

[l] [Hist. Croyland, 551.]

[m] [Hist. Croyland, 555.]

[n] [Hist. Croyland, 555.]

[o] [Stow's Chron. p. 470.]

A D. 1455. 34 Hen. VI.

Place.	*Betwixt.*	*Time.*	*Number slain.*	*Conqueror.*
13. Stoke, in Nottinghamshire p.	John de la Pole, earl of Lincoln, for York; king Henry VII. for Lancaster.	Anno 1487, 2 Hen. VII. June 16.	About four thousand (whereof many Irish) slain on both sides.	Lancaster, or rather the two houses united in king Henry the Seventh.

Besides many other skirmishes, (corrivals with battles;) so that such who consider the blood lost therein would admire England had any left: and such as observe how much it had left would wonder it had any lost, such still the populousness thereof.

But these things the reader may best inform himself out of the state historians, and particularly out of that noble Italian author (elegantly and expressively translated by the earl of Monmouth) who hath written a large volume, to the great credit of our English nation, of the wars betwixt York and Lancaster. So that I could heartily wish that some Englishman, in requital of his courtesy, would write the Italian discords betwixt the Guelphs and Guibelines.

A. D. 1457. Magdalen College in Oxford founded by bishop Waynfleet.

24. It was much that in the midst of so many miseries of civil wars, William, surnamed Patten, from his parents, but Waynfleet, from the place of his nativity q, now bishop of Winchester, should found the fair college dedicated to Mary Magdalen, in Oxford, for one president, forty fellows, thirty demies, four chaplains, eight clerks, and sixteen

p [Stow, p. 472.]

q [A sea-port town in the county of Lincoln. Like Chichele, he received his education in Oxford.]

choristers, which number can never be increased; but though this foundation cannot be made broader or longer, (admit of more members,) yet may it be made deeper, and is capable of benefactors' charity to augment the maintenance of the aforesaid number. This William Waynfleet first founded Magdalen Hall, hard by [r], (as scriveners use to try their pens on a small piece of paper, before they begin what they fairly intend to write,) and afterwards undertook and finished this far more stately piece of architecture; for whoso observeth the magnificence of the structure, the numerousness of the corporation, the largeness of their endowments, and the mutual concinnity of all parts amongst themselves therein, may possibly find out a college which may exceed it in some, but hardly any that will equal it in all accommodations; where nothing is wanting for health and pleasure, except some will say that Mary Maudlin weepeth too much, and the walks sometimes too wet and moist from the depressed situation thereof. A.D. 1457. 35 Hen. VI.

25. Nor hath this house been less fruitful than any with famous persons; and it is observable that there is scarce a bishopric in England to which this college hath not afforded one prelate at the least, (doubling her files in some places,) as by the ensuing catalogue will appear. The many worthies bred therein.

[r] [He obtained a licence from the king for that purpose in 1448. Wood's Hist. of the University, 307.]

A. D. 1459. 37 Hen. VI.

Presidents.	*Benefactors.*	*Bishops.*		*Writers.*
[1448.] Mr. John Hornley.	King Henry the Seventh.	John Stokesley, bishop of London, 1530.	John Voysey, bishop of Exeter, 1520.	John Claymond, afterwards president of Corpus Christi [s].
[1458.] Mr. William Tybard.	Thomas Ingledeu, chaplain to the founder.	Thomas Cooper, bishop of Winchester, 1584.	William Bradbridge, bishop of Exeter, 1578.	John Hooker [t].
[1480.] Mr. Richard Mayo.	William Fitz-Alan, earl of Arundel.	John Longland, bishop of Lincoln, 1521.	Richard Mayo, bishop of Hereford, 1504.	Michael Reniger [u].
[1504.] Mr. John Claymond.	John Forman.	Thomas Bentham, bishop of Coventry and Lichfield, [1559.]	John Harley, bishop of Hereford, 1553.	John Fox, author of the Book of Martyrs.
[1516. John Hygden, D. D.]	Mr. Hygden, pres.	William Overton, bishop of Coventry and Lichfield, [1580.]	Thomas Bickley, bishop of Chichester, 1585.	Thomas Cooper, who wrote the great Dictionary.
[1525. Lawrence Stubbs, D. D.]	John Claymond, pres.	Accepted Frewen, bishop of Coventry and Lichfield, 1644.	John Warner, bishop of Rochester, 1637.	Robert Crowley [x].
[1527.] Dr. [Thomas] Knolles.	Robert Morwent.	Henry Cotton, bishop of Salisbury, 1598.	John Bullingham, bishop of Bristol and Gloucester, holding both together, 1581.	Peter Morving [y].
[1535.] Mr. [Owen] Oglethorpe.	John Molins, archdeacon of [Paul's,] London.			Alan Cope [z], proctor of the university, 1558.
[1552. Walter Haddon, D. C. L.]	Dr. John Warner, last bishop of Rochester.			Julius Palmer, mart.
[1553. Owen Oglethorpe, D. D., the second time.]				Dr. Lawrence Humphrey.
[1555.] Mr. [Arthur] Cole.				John Budden, doctor of law, who wrote many men's lives in elegant Latin.
[1558.] Mr. [Thomas] Coveney.				
[1561.] Dr. Lawrence Humphrey.				

[s] Pitz. in vita, p. 688.
[t] Idem, p. 730.
[u] Bale, cent. ix. § 73.
[x] Idem ib. §. 80.
[y] Pitz. in vita, p. 757.
[z] Brian Twyne, Antiquit. Academ. Oxon. in Catal. Procuratorum.

A. D. 1459. 37 Hen. VI.

Presidents.	*Benefactors.*	*Bishops.*		*Writers.*
[1590.] Dr. Nicholas Bond.		Thomas Godwin, bishop of Bath and Wells, 1584.	George Cotys, bishop of Chester, 1554.	Dr. Henry Hammond.
[1607.] Dr. John Harding.				Dr. Peter Heylyn.
[1610.] Dr. William Langton.				
[1626.] Dr. Accepted Frewen.		Thomas Wolsey, archbishop of York, 1515.	William Downham, bishop of Chester, 1561.	
[1644.] Dr. John Oliver [a].				
[1648.] Dr. John Wilkinson.		John Piers, archbishop of York, 1588.	Owen Oglethorpe, bishop of Carlisle, 1557 [b].	
[1649.] Dr. Thomas Godwin.				

Give me leave to suspect this catalogue of presidents not complete [c] (though set forth by their great antiquary [d],) both because Dr. Hygden (avowed president in the list of benefactors [e]) is therein omitted, as also Dr. Walter Haddon [f], whom we find president hereof in the beginning of queen Mary.

[a] [He was ejected by the Parliamentarians in 1647, and Dr. John Wilkinson, principal of Magdalen Hall, and a noted presbyterian preacher, put in his place. He dying, the notorious Thomas Goodwyn was appointed by Oliver Cromwell.]

[b] [Thirty-six bishops are enumerated in Wood, to the death of Dr. Thomas Thurlow, bishop of Lincoln, in 1779. Wood, ib. 321.]

[c] [The deficient names and dates I have supplied and included in brackets, in the account of this as well as of the other colleges.]

[d] Vide in calce libri. [I suppose he refers to Br. Twyne, who has only enumerated the first eleven.]

[e] Vide Scot's Tables [at the end of Isaacson's Chronology.]

[f] L. Humphrey, in the Life of Bishop Jewel, p. 71, [ed. 1573.] Walter Haddon was regius professor of law in the university of Cambridge. Several mandates were sent by Edward VI. to compel the fellows of that society to receive him as their president. He held it for a short time, and on the death of the king, the next year, resigned for fear of expulsion. See Wood, ib. 516.]

A. D. 1450. 37 Hen. VI. At this day there are therein a president, forty fellows, thirty demies or scholars, four chaplains, eight clerks, sixteen choristers, one schoolmaster, and an usher; three readers of divinity, natural and moral philosophy: besides divers officers and servants of the foundation, with other students: being in all two hundred and twenty.

A. D. 1461. Edward the Fourth gaineth the crown by conquest. 26. King Henry being conquered in a fatal battle at Towton, in Nottinghamshire, fled with his queen into Scotland; and to make himself the more welcome, resigned Berwick to the king thereof[g]. Edward duke of York, his adversary, reigned in his stead by the name of Edward the Fourth, who, next to God and his own right, had just cause to thank Richard Nevill, earl of Warwick, for his crown. This was that Nevill who, for extraction, estate, alliance, dependents, wisdom, valour, success, and popularity, was superior to any English subject since the Conquest. People's love he chiefly purchased by his hospitality, keeping so open an house that he was most welcome who brought the best stomach with him; the earl charitably believing that all who were men of teeth were men of arms. Any that looked like a man might have in his house a full half yard of roast meat; namely, so much as he could strike through and carry away with his dag-

g [After the fatal battle of St. Alban's, Edward earl of March entered London the 28th of February, 1461, where, by the favour of the Londoners and the Kent and Essex men, he was proclaimed king, and began his reign upon the 4th of March. The battle here mentioned was fought between Towton and Saxton, in Yorkshire, upon Palm Sunday, the 29th of March following, and may be considered as the decisive blow which settled the throne of the new king. See Stow's Chron. p. 415.]

ger [h]. The bear was his crest; and it may be truly said that when the bear roared the lions of the forest trembled, the kings of England themselves being at his disposal. A.D. 1461. 1 Edw. IV.

27. This king's reign affordeth very little church story, and therefore Mr. Fox (whose industry would have found out church-matter, if above ground,) is fain to fill it up with foreign passages or domestic relations of our civil differences. Indeed now the sound of all bells in the steeples was drowned with the noise of drums and trumpets; and yet this good was done by the civil wars, it diverted the prelates from troubling the Lollards; so that this very storm was a shelter to those poor souls, and the heat of these intestine enmities cooled the persecution against them. Why little church history in this king's reign.

28. Thomas Bourchier, archbishop of Canterbury, kept a synod of his clergy at London, when Geoffrey Langbroke, a member thereof, (as proctor for Peter Courtney, archdeacon of Exeter,) was, at the suit of Simon Notyngham, arrested by the bailiffs of the lord major. Complaint being made hereof to the convocation, they sent the prior of Canterbury to the major and sheriffs, to restore the aforesaid Geoffrey to his liberty, threatening them else with excommunication; to prevent which the party was released [i]. The parliament, sitting at the same time, A.D. 1462. Synod privileges broken and repaired.

[h] Stow's Annals, p. 421, [and Survey, p. 72.]

[i] Antiq. Brit. p. 439; [Wilkins's Conc. iii. 578. This synod was held in 1460, and not in 1462, previous to granting the charters mentioned in the former note, and to which the resolutions of this synod appear to have been preparatory. See Wilkins, ib. A convocation was indeed held 21st July, 1462, but nothing else appears in the register excepting their grant of a tenth to the king.]

A. D. 1462. 2 Edw. IV. bestowed many privileges on the clergy[k]. As for the other synods in this king's reign, being six as I account them, little more than granting of subsidies was propounded and concluded therein.

A. D. 1463. King Henry returned routed and imprisoned. 29. King Henry returned out of Scotland, furnished with sufficient forces from James the Third to recover his crown, had success befriended him; but king Edward marched against him in person, (one means of his being so fortunate in his fights, seeing in peace the master his eye maketh the fat horse, as the prince's in war the valiant horse-rider,) totally defeated, took, and imprisoned him in the Tower. Here, whilst churchmen observe how tender-eyed the charity, statesmen admire how blind the policy of that age, in keeping king Henry alive. No such sure prison for a captive king as a grave, whose life, though in restraint, is a fair mark for the full aim of malcontents to practise his enlargement. As here it fell out in king Henry, who, either slighted for his simplicity that he could do no mischief, or reverenced for his sanctity that he should suffer no ill, was preserved alive, and reserved thereby to be a future trouble to king Edward, who, though valiant to repel, was not wise to foresee dangers, and now, conceiving himself sure, was viciously disposed, and given over to too much licentiousness.

A. D. 1465. The earl of 30. Richard Nevill, earl of Warwick, is sent over

[k] [It was in the November of this year that the king, with the authority of the parliament, granted that celebrated charter to the clergy by which they were exempted from being arrested or tried by the laity, or from prosecuting or defending any suits in any other than the spiritual courts. Printed in Rymer, xi. 493; Wilkins, Conc. iii. 583. See also Collier, i. 679, and App. §. 52. Carte's History of England, II. 766.]

into France to obtain the lady Bona, daughter to the duke of Savoy [l], wife to king Edward [m]. So powerful a spokesman could not but speed, and all things are concluded, save the meeting of the parties and a priest to marry them. Meantime king Edward marrieth the lady Elizabeth Grey [n], the first English

A.D. 1465. 5 Edw. IV.

Warwick takes just distaste at king Edward.

[l] [And sister to the queen of France. Stow, p. 618.]

[m] [Fox, Mon. i. 934.]

[n] [Widow of sir John Grey, who was slain at St. Alban's on the side of king Henry. Her mother was Jaquelin, daughter of Peter of Luxembourg, E. of S. Paul, duchess of Bedford. The marriage was kept secret nearly half a year. See a very romantic story respecting this marriage in Hume's Hist. iii. 236, ed. 1767. According to Stow and our other chroniclers this was not the only affront, unintentional or designed, which the king offered to the earl of Warwick, for at this time he took away the chancellorship from the bishop of Exeter, the earl's brother, and gave it to the bishop of Bath. See Stow, 418. But, unfortunately for this plausible narrative, the acts of the kingdom are entirely against it. The great seal was not taken away from George Nevill, the earl's brother, until June 8, 1467, (Rymer's Fœd. vol. v. p. 144, ed. 3a.) two years after he had been translated to York; and that, in all probability, because his absence in his diocese rendered it impossible for him to perform the duties of the chancellorship. As a proof of this, (which probably was the origin of this error into which most of our writers have fallen,) upon April 10th this year, 1464, on account of the bishop's journey to Newcastle, where he went as one of the commissioners to treat with Scotland, the great seal was put in commission till his return. Rymer, ib. 120. The same thing had been done August 21, 1463, when he was appointed a commissioner to treat with France at St. Omer's. Rymer, ib. 116. On February 7th, 1469, two years after the taking away of the great seal, the king granted to the archbishop and his heirs the manor of Penley, with all its appurtenances, in the counties of Hertford and Buckinghamshire, (Rymer, ib. 168,) according to Carte, for the archbishop's good offices in procuring a reconciliation between the king and the earl. Upon the 17th of August, the same year, Richard, the great earl of Warwick, the archbishop's brother, was appointed chief justiciary of South Wales, constable of Cardigan, &c. (Rymer, ib. 171,) besides being appointed, the 23d of February in the same year, a commissioner for inquiring into the division of the lands of Picardy, (Ib. 169,) and on the 7th of May, 1470, joined with the duke of Clarence in a commis-

A.D. 1465. 5 Edw. IV. king who since the Conquest wedded his subject; I might also add, and the first that matched with a widow, seeing Eleanor, wife to king Henry the Second, divorced from Lewis the younger, king of France, was properly neither maid nor widow. Warwick stormeth hereat, that he had taken so much pains about nothing, highly sensible of the affront, seeing a potent arm is not to be employed about a sleeveless errand. He resolves revenge; and because he could not make her queen whom he desired, he would make him king whom he pleased.

A.D. 1469. King Edward taken prisoner, and king Henry enlarged.

31. Take hereof this cursory account: After many bloody battles, king Edward was taken prisoner at Wolney, in Warwickshire, and committed by the

sion of array, by letters patent tested at Waltham Abbey. Ib. 173. Till this period the earl of Warwick was loaded with a succession of honours; and the public acts of the kingdom, sufficiently testified by the documents published in Rymer, tested almost without exception at Westminster, without so much as a month's interval between them, throw great suspicion on the whole of this account of king Edward's capture and his dissension with the Warwicks.

Secondly, had the earl ever been sent into France to negociate a marriage with the lady Bona, it would scarcely have escaped the notice of Commines. According to a continuation of the Chronicle of Croyland, published by Gale in his Decem Scriptores, the dissension between the king and the earl of Warwick was occasioned by king Edward giving his sister Margaret in marriage to Charles, eldest son of Philip duke of Burgundy, contrary to the wishes of the earl, who favoured the king of France. This marriage was solemnized in 1467, and, added to the discontent which had been already occasioned by the king's marriage, produced an open rupture. Hist. Croylandensis, p. 551. The same Chronicle states that when the king was taken prisoner, he was allowed to escape by the express consent of the earl; for the party of king Henry gathering strength in the marches of Scotland, and headed by Humphrey Nevyl, would have prevailed once more, had not the earl raised a power against them in king Edward's name, and, for a better colour to this purpose, allowed him to appear at liberty. Carte, however, doubts the truth of this tale altogether.]

earl of Warwick to the custody of his brother, George Nevill, archbishop of York. Henry is brought out of the Tower—shall I call him the sixth or the seventh, because dead, (though not in law, in dignity,) and once deposed, he is now restored again to wear the royal robes, not so much as his own garments, but as the livery [of] the earl of Warwick his liberality. However he acted a very short part of sovereignty, wherein he revenged not any personal wrongs offered unto him in his restraint; for one who thrust him into the side with a sword, when he was prisoner in the Tower, was afterwards pardoned by him when restored to his former dignity.

A. D. 1469. 9 Edw. IV.

A. D. 1470.

32. Meantime the archbishop allowed king Edward liberty to ride abroad and follow his pleasure; now a careless keeper giveth his prisoner a warning, and sheweth him a way to make his escape. King Edward followeth his hawking so long, that he taketh his own flight at last. Over he gets beyond the seas to his brother-in-law, Charles duke of Burgundy, by whom he was supplied to the proportion of a competent subsistence, but not enabled for the recovering of a crown[o]. However he returned into England, landed in the north, marched to York, desired to be received therein, as into the place whence he received his title, but in no other notion than a subject to king Henry, taking the sacrament on the truth thereof; but having gotten the city as

Edward escaped, flieth beyond sea, and returneth.

A. D. 1471.

[o] [The duke supplied him both with naval and military forces for the recovery of the crown. Hist. Croyland. p. 554. He landed at Holderness, an act in which there seemed to be a direct interference of Providence; for it was the same place where Henry IV. landed upon his insurrection against Richard II.]

A. D. 1471. 11 Edw. IV. duke, he kept it as king, contrary to his oath, for which his children are conceived to fare no whit the better.

Recovereth the crown by conquest.

33. Let the state historians inform you with what various changes king Edward made hence into the south, and at last, near Barnet, bid battle to and defeated the earl of Warwick, slain with his brother the marquis Montague on the place [p]. Learn also from them how king Henry was cruelly put to death, and his son and queen Margaret soon after overthrown at Tewkesbury. For when a royal family is once falling, all things conduce to expedite their destruction. Henceforward king Edward (saving the differences of his own with his wife's kindred) passed the remnant of his days in much peace, plenty, and pleasure.

Why most armies make for London.

34. In most of the battles, we may observe, it was the word-general of the weaker side, "For London, for London!" as the most martial thrift to conquer a kingdom in a city; for such whose necessities can allow their armies but little time to stay, do burn daylight in pelting against petty towns in the outskirts of a land, especially if all other human hopes be in one desperate push. Hence was it that so many battles were fought about Barnet and St. Alban's, (the cockpit of war,) the lines of all armies drawn from the circumference of the land being the closer together the nearer they approached London, the centre in trade and wealth, though not in exact position thereof.

Brawls betwixt mendicants and secular [q].

35. Come we now to a tamer contest, and more proper for our pen, continuing all this king's time,

[p] [See Hist. Croyland, 555.]

betwixt the begging friars and secular priests; the former not content to cry up the dignity of their own order, but cast contempt on the rest of the clergy. But these bold beggars met with as bold sayers nay; I mean these mendicants found their matches in the secular priests, effectually humbling their pride herein; for it was beheld as a most pestiferous doctrine, the friars so heightening the perfection of begging, that according to their principles all the priesthood and prelacy in the land, yea, by consequence the pope himself, did fall short of the sanctity of their order. Yet hard was it for them to persuade his holiness to quit Peter's patrimony, and betake himself to poverty; although a friar (Thomas Holden by name) did not blush to preach at Paul's Cross, in 1465, that Christ himself, as first founder of their society, was a beggar; a manifest untruth, and easily confuted out of Scripture [q]. A. D. 1471. 11 Edw. IV.

36. For vast the difference betwixt begging and taking what the bounty of others doth freely confer, as our Saviour did from such who *ministered unto him of their substance* [r]. We never read him begging any thing, save when from the woman of Samaria [s] he asked water, a creature so common and needful that it was against the law of nature to deny it him. Nor is it probable he was a men- Christ falsely traduced to be a beggar.

[q] Fox, Acts, &c. [i. 939. From a chronicle in MS. entitled "Scala Mundi," written probably by Nicholas Montacute, see Bale's Cent. viii. §. 25. It is much to be regretted that this chronicle is nowhere now to be found, as the extracts from it in Fox shew that it must have been of considerable value for this obscure period of our history. See Bale's Script. viii. §. 31.]

[r] Luke viii. 3.

[s] John iv. 7.

A.D. 1471. 11 Edw. IV.

dicant, who was rated in the publican's toll-book, and paid tribute unto Cæsar [t]. Not to say that he was so far from begging, that it was his custom (especially about the time of the passover) to relieve others, and Judas his purse-bearer was his almoner to distribute to the poor [u].

Writers pro and con in the cause.

37. Here it will not be amiss to reckon up the principal champions on both sides, whose pens publicly appeared:

For Mendicants.

i. Henry Parker, a Carmelite, bred in Cambridge, living afterwards in Doncaster convent, imprisoned for preaching [x].

ii. John Milverton, bred in Oxford, Carmelite of Bristol, being excommunicated by the bishop of London, and appealing to the pope, found no favour, but was kept three years captive in St. Angelo [y].

Against Mendicants.

i. Thomas Wilton, doctor of both laws, and, say some, dean of St. Paul's, most zealous in his preachings and disputings [z].

ii. William Ivie, canon of St. Paul's in London, who wrote very learnedly in the defence of Richard Hill, bishop of London, who imprisoned two mendicants for their proud preaching [a].

But after pope Paul the Second had interposed herein, concluding "*Quod Christus publice mendica-*" *vit, pro damnata* [*hæresi*] *undique declarandam et*

[t] Matt. xvii. 24.
[u] John xiii. 29.
[x] Pitz. p. 660.
[y] Idem. p. 673.
[z] Idem. p. 659.
[a] Idem. p. 654.

"*conculcandam esse*[b]," the mendicants let fall their bucklers, and the controversy sunk in silence, never more revived[c]. A. D. 1471. 11 Edw. IV.

38. Never had England at once two archbishops of so high extraction as at this time; namely, Thomas Bourchier, son of Henry earl of Essex, and George Nevill, brother to the great earl of Warwick. The latter is famous for a prodigious feast, wherein whoso noteth the number and quality of the guests, (all the nobility, most of the prime clergy, many of the great gentry,) will wonder where he got meat for so many mouths; whilst such who number the dishes thereof will more admire where he got mouths for so much meat. But see the bill of fare: A prodigious feast at an archbishop's installation.

Quarters of wheat[d] . .	300
Tuns of ale . . .	330
Tuns of wine . . .	104
Pipes of spiced wine . .	2
Fat oxen	80
Wild bulls . . .	6
Wethers	1004
Hogs	300
Calves	300
Geese	3000
Capons	3200
Pigs	300
Peacocks	100

[b] [Scala Mundi, quoted by Fox, ib.]

[c] [From this period, and owing to this circumstance, the influence of the mendicant orders gradually declined. In the year 1458 Milverton wrote to Pius II., detailing the whole process of this dispute, and arraigning the conduct of Reginald Pecock. Not however succeeding in his application, nor obtaining any favour, he returned to London, and died in 1486. See Pitz. p. 674. Wood's Hist. Univ. Oxon. in a. 1457 sq.]

[d] Godwin, [De Præsul. Ang. p. 695.]

A.D. 1471. 11 Edw. IV.

Cranes	200
Kids	200
Chickens	2000
Pigeons	4000
Rabbits	4000
Bittours	204
Ducks	4000
Hernsews	400
Pheasants	200
Partridges	500
Woodcocks	4000
Plovers	400
Curlews	100
Quails	100
Egrets	1000
Rees	200
Bucks, does, and roes, more than	400
Hot venison pasties	1506
Cold venison pasties	4000
Dishes of jelly parted	1000
Dishes of jelly plain	4000
Tarts	400
Cold custards	4000
Hot custards	2000
Pikes	300
Breams	300
Seals	8
Porpoises	4

Earl of Warwick, steward.

Earl of Bedford, treasurer.

Lord Hastings, controller; with many more noble officers.

Servitors	1000
Cooks	62
Kitcheners	515

People present at this feast needed strong stomachs to devour, and others absent stronger faith to believe so much meat at one time. Take the proportion by sheep, whereof magnificent Solomon spent but an hundred a day in his sumptuous court [e], and here were ten times as many expended at this feast as he in a day's provision for all his numerous retinue. How long this entertainment lasted is uncertain; but by the pork, doves, and woodcocks eaten therein, it plainly appears kept in winter, when such are in season; and how the same can be reconciled with so much summer fowl as was here used I little know, and less care to resolve. A.D. 1471. 11 Edw. IV.

39. But seven years after, this archbishop, to entertain king Edward, made another feast at More Park, in Hertfordshire, inferior to the former for plenty, yet perchance equalling it in price; for the king seized on all his estate, to the value of twenty thousand pounds, amongst which he found so rich a mitre that he made himself a crown thereof [f]. The A.D. 1472. A second sadder in the conclusion.

[e] 1 Kings iv. 23.

[f] ["George Nevil, archbishop of York, being at Windsor with king Edward on hunting, the king promised the archbishop to come to the More, (a place in Hertfordshire, which the archbishop had purchased and builded commodiously,) there to hunt and make merry with him; whereupon the archbishop, taking his leave of the king, went home to the manor of the More, and there made great provision for the king, and sent for much plate, that he had at that time of Barnet and Tewkesbury fields, and besides this, borrowed much of his friends, and purveyed for the king, for two or three days, meat, drink, and lodging, as royally as he could. But the day before the king had promised to have come to the More, the king suddenly sent for the archbishop to come to Windsor, where he was arrested of treason, that he should help the earl of Oxford, and so sent to Calais and to Hames, where he continued a long time after prisoner; all which time the king kept the arch-

A. D. 1472. 12 Edw. IV. archbishop he sent over prisoner to Calais, in France, where *vinctus jacuit in summa inopia* [g], he was kept bound in extreme poverty, justice punishing his former prodigality, his hungry stomach being glad of such reversions (could he get them) which formerly the voider had taken away at his riotous installation.

A. D. 1474. Scotland freed from the see of York. 40. He was afterwards restored till his liberty and archbishopric, but never to the cheerfulness of his spirit, drooping till the day of his death. It added to his sorrow that the kingdom of Scotland, with twelve suffragan bishops therein, formerly subjected to his see, was now, by pope Sixtus Quintus, freed from any further dependence thereon; St. Andrew's being advanced to an archbishopric, and that kingdom, in ecclesiastical matters, made entire within itself; whose bishops formerly repaired to York for their consecration, not without their great danger, especially in times of hostility between the two kingdoms. In vain did this Nevill plead for some compensation to be given his see in lieu of so great a loss, or at leastwise that some acknowledgment should be made of his former jurisdiction, the pope powerfully ordering against it. Henceforward no archbishop of York meddled more with church matters in Scotland; and happy had it been

" bishoprick in his own hands. " In the meanwhile sir William " Parr, knight, and sir Thomas " Vaughan, esquire, and other, " were sent to the More to " seize all his goods for the " king, which came then to " the sum of 20,000*l.*, and all " other lordships and lands that " the said archbishop had with- " in England, and all his stuff " and riches." Stow's Chron. p. 426. The fragment printed at the conclusion of Sprot gives a rather different version of this story. Another instance of Nevill's magnificence is given by Wood, Hist. Univ. in A. D. 1452.]

[g] Godwin, ibidem.

if no archbishop of Canterbury had since interested himself therein. A. D. 1473. 13 Edw. IV.

41. About this time John Goose, sole martyr in this king's reign, suffered at Tower Hill. Let papists who make themselves sport at the simplicity of his name remember how their pope *Os porci*, or *swine's face*, could change his name into Sergius, which liberty, if allowed here, would quickly mar their mirth. This Goose, when ready to suffer, desired meat from the sheriff which ordered his execution, and had it granted unto him. "I eat now," saith he, "a good and competent dinner, for I shall pass "a little sharp shower ere I go to supper [h]." John Goose, martyr.

42. King Edward, foreseeing his approaching death, (who, by intemperance in his diet, in some sort digged his grave with his own teeth,) caused his own and wife's kindred (sadly privy to the grudges betwixt them) to wait on him when he lay very sick on his bed [i]. To these he made a passionate speech, to exhort them to unite, from the profit of peace and danger of discord; and very emphatically urged it, insomuch that seemingly they were his converts, and in token thereof shook hands together, whilst their hearts, God knows, were far asunder [k]. This speech I may call king Edward his own funeral sermon, preached by himself, (and it may pass also for the funeral sermon of his two sons, finding no other obsequies at their burial,) though very little was really thereby effected. Thus died A. D. 1483. King Edward preacheth his own funeral sermon.

[h] Fox, Mon. i. 939, de Polychron. [Fox does not state what opinions this person held.]

[i] [He grew very corpulent towards the latter years of his reign, owing to the excesses of his youth, and was only in his forty-first year when he fell into his mortal sickness.]

[k] [See the substance of it in Stow, p. 436.]

A. D. 1483. 23 Edw. IV. king Edward, who, contrary to the ordinary observation, that men the older the more covetous, (as indeed dying men's hands grasp what is next, and hold it hard,) was gripple in the beginning of his reign, and more bountiful towards the end thereof.

SECT. IV.

TO

JOHN FERRARS[a],

OF TAMWORTH CASTLE, ESQ.

Sir,

Modest beggars in London streets commonly choose twilight to prefer their petitions, that so they may have light enough to discover him to whom they sue, and darkness enough to cover and conceal themselves.

This may make you the more to admire my boldness, who in a mere midnight (utterly unknowing you and unknown to you) request you to accept this Dedication. But know, sir, though I know not your face, I know you are a Ferrars, inclined by your extraction to a generous disposition, as I have found by one of your nearest relations.

[a] [Arms: Vaire, gules, and or. John Ferrars, of Tamworth Castle, in the county of Warwick, esq., was descended from a younger branch of the noble family of that name and title. He was the only son of sir Humphrey Ferrars, of Tamworth Castle, knight, and married Anne, daughter of the celebrated sir Dudley Carleton, by whom he had a son, Humphrey, afterward knighted, who died in 1678, leaving an only daughter, six years old. John Ferrars, to whom this century was dedicated, died in 1680. A pedigree of the family may be found in Dugdale's Warwickshire, p. 1136, edited by Dr. Thomas.]

A. D. 1483. 1 Edw. V.

After More, no more.

MISERABLE king Edward the Fifth ought to have succeeded his father; but, alas! he is ever pictured with a *chasma* or distance betwixt his head and the crown, and, by the practice of his uncle the duke of Gloucester, chosen protector, (to protect him from any of his friends to come near him [b],) was quickly made away, being a king in right, though not in possession; as his uncle Richard was in possession, though not in right. All the passages whereof are so elegantly related by sir Thomas More, that a man shall get little who comes with a fork where sir Thomas hath gone with a rake before him, and by his judicious industry collected all remarkables. Only, as proper to our employment, let us take notice of the carriage of the clergy in these distractions [c].

[b] [In the duke's appointment to the protectorate the choice of the nobles seems to have been guided in some degree by the circumstance of Humphrey duke of Gloucester holding a similar office in the reign of Henry VI. See Hist. Croyland. p. 566.]

[c] [Stow has incorporated sir Thomas More's history into his Chronicle, but the most complete edition of it was published by Mr. Singer. It has become fashionable of late to undervalue this work, and to make duke Richard in all points, as Fuller quaintly says, "a comely and beautiful person." Sir Thomas was born in 1480, the twentieth year of Edward IV. He was intimate with cardinal Morton, archbishop of Canterbury, who had procured the union of the two houses of York and Lancaster, and had played an important part in the great events of the kingdom. That More bore no great animosity to the house of York, may be inferred from the character which he has given, in the commencement of his history, to Edward IV. To suppose, therefore, (as some do,) that sir Thomas should have descended to so poor an artifice, or be led astray by mere popular report, as to blacken king Richard and belie his person unnecessarily, seems to me a very needless and improbable supposition. Living at the time of the events which he describes,

2. Although most of the prelates were guilty of cowardly compliance with king Richard, yet we find none eminently active on his side; indeed the archbishop of Canterbury was employed to get Richard duke of York from his queen-mother in the sanctuary in Westminster, and very pathetical he was in the persuading her to part with him, haply on a point of conscience, as fearing, if denied, some injury would be offered to the prejudice of the church, and therefore more willing himself to woo him from her with eloquence than that others should wrest him thence with violence; yet he is generally conceived innocent herein, as not as yet suspecting any fraud in the duke of Gloucester, except any will say that it was a fault in him that so great a statesman was no wiser than to have been deceived by his dissimulation [d].

having ample opportunity of seeing the king, and, still more, the readiest means of obtaining information on this subject from trustworthy and living authorities, it seems little short of folly to imagine that he would depreciate the credit of his history by affirming circumstances which might have been so easily and certainly contradicted. As to the long speeches which he has put into the mouths of the different persons in his history, and the motives which he attributes to their actions, on these, of course, the reader must exercise his judgment, as he must wherever motives are attributed. Sir Thomas followed the style of composition which prevailed most in his own days, but this is no presumption against his general accuracy. To these we may add as a further argument, that as his account is supported in all material circumstances by the Croyland Chronicle, as far as a copious and diffusive narrative can be supported by a very bald and jejune one; so is it objected to chiefly on conjectural evidence "and whoso," (as sir Thomas says,) "divineth upon conjectures, may as well shoot too far as too short."]

[d] [To this he was compelled, the dukes of Gloucester and Buckingham threatening him with personal violence, and urging as a pretext the wishes of Edward V. Hist. Croyland. 566. Sir Thomas More (evidently by an oversight) says

A.D. 1483. 1 Edw. V.

Shaw's shameless sermon.

3. But of the inferior clergy, Dr. Shaw, a popular preacher, made himself infamous to all posterity. His sermon at St. Paul's Cross had nothing but the text (and that in the Apocrypha [e]) good therein, as consisting of two parts, defaming of the dead, and flattering of the living; making king Edward far worse than he was, and duke Richard far better than ever he would be. He made king Edward the Fourth and the duke of Clarence both to be bastards, and duke Richard only right begotten, so proclaiming Cicely his mother (still surviving) for a whore; all being done by secret instructions from duke Richard himself, who hereby gave a worse wound to his mother's credit than that which at his birth he caused to her body, being (as it is commonly reported) cut out from her [f]. With Shaw we may couple another brawling cur of the same litter, Pynkney, the provincial of the Augustinian friars, who in the same place used so loud adulation, he lost his credit, conscience, and voice altogether. These two were all (and they too many) of the clergy whom I find actively engaging on his party, whilst multitudes of the laity sided with him. So

that it was the archbishop of York, not Canterbury. Stow, 441.]

[e] Ecclus. xxiii. 25. *Spuria vitulamina non agent radices altas.*

[f] [When Richard had obtained possession of the persons of Edward V. and Richard duke of York, and had lodged them in the Tower, he produced a roll professing to have been signed by the lords and commons, requiring him to assume the kingdom, on the plea that the children of Edward IV. were illegitimate, as that king had formed a pre-contract with lady Eleanor Boteler before he was married to queen Elizabeth. A rumour was industriously circulated (says the writer of the Hist. Croyland. Contin. p. 567) that this roll had been concocted at York, but no one was ignorant (he continues) who had been the sole author of this vile slander and sedition. See sir Thomas More in Stow's Chron. p. 453.]

that through the popularity of the duke of Buckingham, the law-learning of Catesby, the city interest of Shaw, (then lord mayor of London, and brother to the preacher,) the rugged rigour of Ratcliffe, and the assistance of other instruments in their several spheres, the queen's kindred were killed, the lord Hastings murdered, king Edward and his brother imprisoned, and at last Richard duke of Gloucester elected king of England [g]. A.D. 1483. 1 Edw. V.

4. His coronation was performed with more pomp than any of his predecessors', as if he intended with the glory thereof so to dazzle vulgar eyes that they should not be able to see the shame of his usurpation. Indeed some of our English kings, who by undoubted right succeeded to the crown, accounted their coronation but a matter of course, (which did not make but manifest them to be kings,) and so less curious in the pompous celebration thereof; but this usurper apprehended this ceremony more substantial, and therefore was most punctual in the observation of it, causing all the nobility who held lands in grand sovereignty to do their service in state; amongst whom Richard Dimock, esquire, hereditary champion by tenure, with a safe piece of valour (having so many to back him) cast down his gauntlet, challenging any that durst oppose the title of king Richard, and, for ought I do know to the contrary, he afterwards made his challenge good in Bosworth field. And, because sure bind sure find, he is said, and his queen, to be crowned again in York with great solemnity [h]. 1 Rich. III. 1483, June 26. The sumptuous coronation of king Richard.

[g] [See Hist. Croyland. 566. He was crowned July 6, with Anne his wife. Hist. Croyland. ib.]

[h] [On which occasion he had his only son Edward proclaimed prince of Wales. Hist. Croyland. 567.]

A.D. 1483. 1 Rich. III.

King Edward and his brother stifled.

5. Soon after followed the murder of king Edward and his brother Richard duke of York. It was high time they should set, when another already was risen in the throne. By a bloody bloodless death they were stifled with pillows, and then obscurely buried[i]. The uncertainty of their interment gave the advantage to Perkin Warbeck afterwards to counterfeit Richard duke of York: so like unto him in age, carriage, stature, feature, favour, that he wanted nothing but success to make him who did but personate duke Richard to pass current for the person of duke Richard.

King Richard vainly endeavoureth to ingratiate himself by making good laws.

6. After this bloody act king Richard endeavoured to render himself popular, first, by making good laws in that sole parliament kept in his reign. Benevolence, malevolence, which formerly the subjects unwillingly willing had paid to their sovereign, (power, where it requests, commands, it not being so much thankworthy to grant, as dangerous to deny it,) he retrenched, and reduced to be granted only in par-

[i] [See Stow, p. 459. This is sir Thomas More's account, although the truth is doubted by many. Upon introducing this circumstance of the murder, he prefaces it with this observation: "I shall rehearse "you the dolorous end of those "babes, not after every way "that I have heard, but by "such men and by such means "as methinketh it were hard "but it should be true." And at the conclusion of the narrative he remarks, "Very troth "it is and well known, that "at such time as sir James "Tyrell was in the Tower "for treason committed against "the most famous prince, king "Henry VII., both Deighton "and he were examined, and "confessed the murther in "manner above written. Thus "have I learned of them, that "much knew and little cause "had to lie, were these two "noble princes, these innocent "tender children, borne of "most royal blood, &c., by "traitorous tyranny taken, de-"prived of their estate, shortly "shut up in prison, and pri-"vily slain and murdered, their "bodies cast God wot where, "by the cruel ambition of "their unnatural uncle." Stow, p. 460.]

liament. He regulated trading, which the Lombards and other foreigners had much engrossed, to the detriment of the English nation. Now, although all people carry much of their love and loyalty in their purses, yet all this would not ingratiate this usurper with them; the dullest nostrils resenting it, done not for love of virtue, but his own security; and that affects none which all palpably discover to be affected. A. D. 1483. 1 Rich. III.

7. Next he endeavoured to work himself into their good-will by erecting and endowing of religious houses, so to plausiblelize himself, especially among the clergy. Thus he built one far north, at Middleham, and a college in the parish of Allhallows-Barking [k], hard by the Tower, as if he intended by the vicinity thereof to expiate those many murders which he therein had committed; besides, he for his time disforested Whichwood, in Oxfordshire [l], (then far more extended than in our age,) which his brother Edward had made forest, to the great grievance of the country thereabouts. Yet all would not do, the people being more patient for an injury done by king Edward than thankful for the favour this Richard bestowed upon them. He is said also to have given to Queen's College, in Cambridge, five hundred marks of yearly rent [m]; though at this time, I believe, the college receives as little benefit by the grant as Richard had right to grant it; for it was not issued out of his own purse, but given out of the lands of his enemy, the unjustly proscribed As also by building of monasteries.

[k] Stow's Survey of London, [p. 131; Stow's Chron. p. 470.]

[l] Camden's Brit. in Oxfordshire, p. 264, out of John Ross. [See the edition by Hearne, p. 216.]

[m] Stow in his Annals, p. 470.

A. D. 1483. 1 Rich. III. earl of Oxford, who, being restored by Henry the Seventh, made a resumption thereof.

Art hath done more for king Richard than ever nature did.

8. Duke Richard was low in stature, crook-backed, with one shoulder higher than the other, having a prominent gobber-tooth, a warlike countenance which well enough became a soldier; yet a modern author, in a book by him lately set forth, eveneth his shoulders, smootheth his back, planeth his teeth, maketh him in all points a comely and beautiful person [n]; nor stoppeth he here, but proceeding from his naturals to his morals, maketh him as virtuous as handsome, (which in some sense may be allowed to be true,) concealing most, denying some, defending others of his foulest facts, wherewith in all ages since he standeth charged on record. For mine own part, I confess it no heresy to maintain a paradox in history; nor am I such an enemy to wit as not to allow it leave harmlessly to disport itself for its own content and the delight of others. Thus Cardan hath written his *Encomium Neronis*, and others (best husbandmen who can improve the barrenest ground) have by art endeavoured to praise as improbable subjects. But when men shall do it cordially, in sober sadness, to pervert people's judgments, and therein go against all received records, I say singularity is the least fault can be laid to such men's charge. Besides, there are some birds (seapies by name) who cannot rise except it be by flying against the wind, as some hope to achieve their advancement by being contrary and paradoxal in judgment to all before them.

[n] George Buck, esq., a claw-back to crook-back, [in his History of Richard III. London, 1646.]

9. Soon after followed the execution of the duke of Buckingham, king Richard his grand engineer, or master of the fabric of his preferment [o]; the occasion thus: the duke requested-required of king Richard (as confident that his merits were incapable of a denial) the earldom of Hereford and the hereditary constableship of England, laying title to them by descent. Well did he ask both together, which would be granted both together; for the earldom of Hereford was an Abishag, concubine to the former kings of England, which had long lien in the crown, (whilst in the Lancastrian line,) so embraced and interlaced therewith that it was difficult to dissever them; and the affecting thereof proved as fatal to Buckingham as the desiring of the other was to Adonijah, being interpreted in both an ambition of the kingdom. The hereditary constableship was conceived too unlimited a power to be trusted to a subject, lest he should make more disorder than he should mend therewith; so that, in fine, both in effect were denied unto him [p].

A D. 1483. 1 Rich. III.

The request of the duke of Buckingham denied.

[o] [The people of the southern and western provinces, taking offence at the detention of the two princes in the Tower, began to make an insurrection, and gained over the duke of Buckingham, repenting of what he had done, to become the leader of their enterprize. At the instigation of Morton, bishop of Ely, who had been committed to the duke's safe keeping, a message was sent over to Henry earl of Richmond, then an exile in Britany, requesting him to hasten over to England to assert his rights; but Richard, who in activity rivalled his late brother, obtaining knowledge of this design, set spies who effectually prevented the duke from stirring. Finding himself thus beset on all sides, he attempted to escape by changing his habit; but being discovered and taken prisoner to Salisbury, he was put to death, on All Saints' day, which that year fell upon a Sunday. Hist. Croyland. 568.]

[p] [He had sought the earldom of Hereford, which he claimed for his inheritance, in-

A.D. 1483. 1 Rich. III.

Buckingham surprised and beheaded.

10. Buckingham storms thereat. Shall a coronet be denied him, by him on whom he had conferred a crown? Yet what anger soever boiled in his heart, none ran over in his mouth, pretending very fair in his behaviour; but hard it is to halt before a cripple, and dissemble before king Richard. The duke withdraws to Brecknock, in Wales, with his prisoner bishop Morton of Ely, (committed unto him by the king on some distaste,) who tampered with him about the marriage of Henry earl of Richmond with the eldest daughter of king Edward the Fourth. The duke carried himself so open therein, that, surprised by king Richard, his head was divorced from his body before this marriage was completed.

Morton makepeace.

11. More cunning was bishop Morton to get himself over into France, there to contrive the union

effectually in the reign of Edward IV.; and according to sir Thomas More, the possession of it was part of the covenant between him and the duke of Gloucester, in his design upon the kingdom. Stow, p. 446. But sir Thomas More discredits (and it seems to me justly) the report that this was the cause of the dissension between Richard and the duke of Buckingham. Both were too deep dissemblers to betray their passion, nor was it at this time to Richard's interest to offend a nobleman of such power as the duke. Further, had such a quarrel occurred, king Richard would never have suffered the duke to escape his hands and withdraw into Wales. "Very troth is it," says sir Thomas, "the duke was an "high-minded man, and evil "could bear the glory of an- "other; so that I have heard "of some that say they saw it, "that the duke, at such time "as the crown was first set "upon the protector's head, "his eye could not abide the "sight thereof, but wryed his "head another way." The same writer thinks that from this discontent the duke withdrew from court, not without the liking of the king; and partly from this motive, partly perhaps from some feelings of remorse, partly from the persuasions of bishop Morton, seconded by his own interest and ambition, he was persuaded to join in this conspiracy in order to dethrone Richard, and elect Henry to the crown.]

of the two houses of York and Lancaster. If *blessed be the peace-makers* be pronounced of such as reconcile party and party, how much more must it be true of his memory, the happy instrument to unite those houses, to the saving of the effusion of so much blood! Some will say it was a design obvious to every capacity to make such an union; but we all know, when a thing is done, then it is easy for any to do it; besides, it is one thing for men in their brains barely and notionally to apprehend a project, and another (as our Morton did) to elect proportionable means, and, by the vigorous prosecution thereof, really to effect it. A.D. 1483. 1 Rich. III.

12. A modern writer, in his voluminous book, which he hath entitled The Rebellions, Treasons, Conspiracies, Antimonarchical Practices, &c. of the English Prelates, to swell his number, chargeth this bishop Morton with treason against king Richard the Third; but is it treason for one, in favour of the true heir, to oppose an usurper in title and tyrant in practice? Surely unbiassed judgments behold Morton herein under a better notion. Had this bishop been active on king Richard's side, how would the same author have proclaimed him for a traitor against king Henry the Seventh! Thus I see an inevitable necessity that Morton must be a traitor whatsoever he did, and can observe that no practice will please which cometh from one whose person or profession is distasted. Mr. Prynne charged for charging bishop Morton of treason.

13. But king Richard his cruelties had so tired out divine patience, that his punishment could be no longer deferred. Henry earl of Richmond lands with an handful of men at Milford Haven; a landing-place politically chosen, near Pembroke, the A.D. 1484. Earl Henry landeth at Milford Haven.

A. D. 1485. 3 Rich. III.

place of his nativity, in the heart of his countrymen and kinsmen the Welsh, (his grandfather, Owen ap Theodore, alias Tuthar, having thence his extraction,) and far from London, the magazine of king Richard's might. From Milford the earl marched north-east, through the bowels of Wales; and both his army and the fame thereof *crevit eundo*, grew by going. Many old prophecies (the people about Leicester will load a stranger with them) were fulfilled in him, and this amongst the rest may be remembered: it was foretold that in a great battle, which was to be fought near Leicester, whosoever should shoot the arrow first should have the victory. This most understood that the archer in the fight which should first let loose should gain the day to his side. When behold the earl of Richmond, bending his march out of Wales to the middle of England, first passed Arrow, a rivulet in the confines of Worcester and Warwickshire, and accordingly proved victorious; for into Leicestershire he came, and in the navel thereof is met by king Richard, and next morning both sides determine to try their fortunes in fight. This night the earl had sweet and quiet rest, whilst king Richard his guilty conscience was frighted with hideous dreams and fanciful apparitions, as no wonder if no pillow could give him quiet sleep who with a pillow had so lately smothered his lord and master [q].

[q] ["Mane die Lunæ illucescente aurora, cum non essent capellani de parte regis Richardi parati ad celebrandum, neque jentaculum ullum paratum, quod Regis tabescentem animum refocillaret, illeque, ut asseritur, ea nocte terrenda somnia quasi multitudine dæmonum circumdatus esset, viderat, sicut de mane testatus est; faciem uti semper attenuatam, tunc magis discoloratam et mortiferam præ se tulit." Hist. Croyland. Cont. p. 574. Of these nightly

14. The battle is called the battle of Bosworth, (though fought full three miles from the town [r], and nearer other country villages,) because Bosworth is the next town of note thereunto. The earl's army fell far short of the king's in number and arms, equalled it in courage, exceeded it in cause and success; indeed the king's army was hollow at the heart, many marching in his main battle who were much suspected, and therefore purposely placed there to secure them from flying out, and fought as unwilling to overcome. Yet the scales of victory seemed for a long time so equal, that an exact eye could not discern on which side the beam did break. At last the coming in of sir William Stanley with three thousand fresh men decided the controversy on the earl's side. King Richard (fighting valiantly, so his friends—desperately, say his foes,) fell in the midst of his enemies, and his corpse was disgracefully carried to Leicester, without a rag to cover his nakedness; as if no modest usage was due to

A. D. 1485. 3 Rich. III. The battle of Bosworth.

apparitions, with which this king was said to be visited, and of which Shakespeare has made so noble a use in his Richard III., sir Thomas More says, "I have heard by credi- "ble report of such as were "secret with his (the king's) "chamberlain, that after this "abominable deed done (he "means the death of Edward V. "and his brother) he never "had quiet in his mind; he "never thought himself sure; "where he went abroad his "eyes whirled about; his body "privily fenced; his hand ever "upon his dagger; his coun- "tenance and manner like one "always ready to strike again. "He took ill rest a-nights; "lay long waking and musing, "sore wearied with care and "watch; rather slumbered "than slept, troubled with "fearful dreams; suddenly "sometime start up; leapt "out of his bed and ran about "the chamber: so was his "restless heart continually "tossed and tumbled with the "tedious impression and stormy "remembrance of his abomi- "nable deed." Stow, p. 460.]

[r] Burton in his Description of Leicestershire, [p. 47, ed. 1622.]

A.D. 1485. 3 Rich. III. him when dead who had been so shameless in his cruelty when alive. The crown ornamental, being found on his head, was removed to the earl's, and he crowned in the field, and *Te Deum* was solemnly sung by the whole army.

A.D. 1486. Henry the Seventh his six-fold title to the crown. 15. Soon after king Henry married the lady Elizabeth, eldest daughter unto king Edward the Fourth, whereby those roses, which formerly with their prickles had rent each other, were united together. Yea, sixfold was king Henry his title to the crown: first, conquest; secondly, military election, the soldiers crying out in the field, "King "Henry, king Henry!" thirdly, parliamentary authority, which settled the crown on him and his heirs; fourthly, papal confirmation, his holiness forsooth concurring with his religious compliment; fifthly, descent from the house of Lancaster, but that, all know, was but the back-door to the crown, and this Henry came in but by a window to that back-door, there being some bastardy in his pedigree, but that was salved by post-legitimation; sixthly, marriage of king Edward's daughter, the first and last being worth all the rest. Thus had he six strings to his bow, but commonly he let five hang by, and only made use of that one which for the present he perceived was most for his own advantage. Yet, for all these his titles, this politic prince thought fit to have his person well secured, and was the first king of England who had a standing guard to attend him.

The death of archbishop Bourchier. 16. Thomas Bourchier, cardinal and archbishop of Canterbury, had the honour first to marry, then to crown king Henry and the lady Elizabeth; and then, having sitten in a short synod at London,

wherein the clergy presented their new king with a tenth, quietly ended his life, having sat in his see two and thirty years[s]. He gave an hundred and twenty pounds to the university of Cambridge, which was joined with another hundred pounds which Mr. Billingforth, master of Bennet College, had some

A. D. 1486. 1 Hen. VII.

[s] [For this statement Fuller is indebted to Parker's Antiq. Britan. p. 443; an error, according to Dr. Wake, who has examined it at considerable length, and concludes, upon the following reasons, "that "in this that author, however "accurate in other matters, "did fortune to be mistaken:" first, because the registers, which give a full and distinct account of the other convocations which immediately precede and follow, are completely silent as to this; secondly, because the king, when he convoked his parliament this year, had no thoughts of asking any subsidy of his people. To this he adds that in this portion of his history our author has greatly failed in various points of his usual accuracy. Instead of the king being first married and then crowned with his queen at Westminster, on the contrary the king was first crowned October 30th, then married on January 18th following; and the queen was not crowned till November 25, 1487, when archbishop Bourchier was dead, and had been succeeded by cardinal Morton. To conclude these remarks in the words of Dr. Wake: "It is not impro- "bable that the mistake might "arise from hence: in Febru- "ary, 1484, a convocation was "held, and a tenth therein "granted to the king. The "limitation of the grant was "this, that one half should be "paid at Midsummer, 1485; "the other the year following, "at Midsummer, 1486. (Re- "gistr. Mem. Russell. Lin- "coln, f. 41, 42.) It was but "a little while after the first "of these terms that king "Richard was slain, and that, "most likely, before the pay- "ment then due was made. "The clergy, therefore, were "indebted a tenth to the "crown when king Henry VII. "came to it. If either the "king required the payment "of it, as 'tis probable he did, "or the clergy, to ingratiate "themselves with him, agreed "to pay it, the error may "easily consist in this, that "our author, finding some "writs or commissions dated "after this first parliament, "for collecting a tenth upon "the clergy, applied that to a "synod held with this parlia- "ment of king Henry, which "had been granted by the "convocation called by the "order of king Richard III. "the spring before." State of the Church, p. 384.]

A.D. 1486. 2 Hen. VII. years before given to the said university; and this joint-stock was put into a chest, called at this day the chest of Billingforth and Bourchier; and treasurers are every year chosen for the safe keeping thereof [t].

John Morton succeeded him.

17. John Morton, born, say some, at Beer [u], but more truly at St. Andrew's Milborne, in Dorsetshire, (where a worshipful family of his name and lineage remain at this day,) succeeded him in the see at Canterbury. He was formerly bishop of Ely, and appointed by Edward the Fourth one of the executors of his will, and on that account hated of king Richard the Third, the executioner thereof. He was, as aforesaid, imprisoned because he would not betray his trust, fled into France, returned, and justly advanced by king Henry, first to be chancellor of England [v], and then to be archbishop of Canterbury [w].

A gift not worth the taking.

18. Now began the pope to be very busy, by his officers, to collect vast sums of money in England, presuming at the king's connivance thereat; whom he had lately gratified with a needless dispensation, to legitimate his marriage with the lady Elizabeth, his cousin, so far off it would half pose a herald to recover their kindred [x]; for,

i. Edward the Third, on Philippa his queen, begat

[t] [See Hist. of Cambridge, p. 93, ed. by Nichols.]

[u] [So Godwin, p. 130; and Stow's Chron. p. 482.]

[v] [Aug. 8, 1487.]

[w] [One of the first acts of this king's reign was to send for bishop Morton from Flanders. Stow, 471.]

[x] [The chronicle called Hist. Croyland. Contin. p. 577, calls this "dispensatio super duplici quarto consanguinitatis gradu."]

ii. Lionel duke of Clarence, who on Elizabeth his lady, begat

iii. Philippa, on whom Edward Mortimer, earl of March, begat

iv. Roger earl of March, who on begat

v. Anne, on whom Richard Plantagenet, duke of York, begat

vi. Edward the Fourth, king of England, who on Elizabeth Woodville, begat

vii. Elizabeth, his eldest daughter, who was married unto

ii. John of Gaunt, duke of Lancaster, who of Katherine Swinford, begat A.D. 1486. 2 Hen. VII.

iii. John de Beaufort, duke of Somerset, who on begat

iv. John Beaufort, duke of Somerset, who on Margaret Beauchamp, begat

v. Margaret, on whom Edmund Tuther, earl of Richmond, begat

vi. Henry earl of Richmond, afterwards (7th of that name) king of England.

Neither law, divine or civil, forbad marriage at this distance; but the pope would be over officious, both to oblige the king and interest himself; as if no princes could well be married except the pope had a finger in joining their hands together.

19. More material to the king was the help of his holiness to regulate the exorbitances of abused sanctuaries. In this age could an offender get such an house over his head, he accounted himself instantly innocent, though not in conscience, yet as to outward punishment; the king's enemies, once sanctuaried, daring him no less than the Jebusites, in their strong fort of Sion, defied David: *Thou* A.D. 1487. Exorbitancies of sanctuaries retrenched.

A.D. 1487. 3 Hen. VII. *shalt not come in hither*[y]. The pope therefore, in favour of the king, and indeed of equity itself, ordered,

"i. That if any sanctuary-man did, by night or "otherwise, get out of sanctuary privily, and com- "mit mischief and trespass, and then come in again, "he should lose the benefit of sanctuary for ever "after.

"ii. That howsoever the person of the sanctuary- "man was protected from his creditors, yet his goods "out of sanctuary should not.

"iii. That if any took sanctuary for cause of trea- "son, the king might appoint him keepers to look "to him in sanctuary[z]."

Surely had the king been pleased to interpose his own power, he might have reformed these abuses; but he thought fitter to make use of the pope's spiritual artillery against these spiritual castles of rebellion, that he might not seem to intrench on their lawful privileges, having formerly, at least in pretence, appeared a great patron of sanctuaries, and a severe punisher of the unjust infringers thereof; on which account this king (who was never uxorious husband nor over-dutiful son-in-law) confined the queen-dowager, his wife's mother, to a religious house in Bermondsey, because three years since she had surrendered her two daughters out of the sanctuary at Westminster to Richard duke of York.

[y] 2 Sam. v. 6.

[z] Lord Verulam, 35 Hen. VII. p. 39. [The abuses of the sanctuaries are very well exposed in a speech which sir Thomas More has put in the mouth of the duke of Buckingham, in his History of Edward V. See Stow's Chron. p. 441.]

20. A synod was holden by archbishop Morton at London, wherein the luxury of the London clergy in clothes [a], (that city always the staple of bravery,) with their frequenting of taverns, was forbidden; such preachers also were punished who with popular applause inveighed against bishops in their absence. The next year also a synod was called, but little therein effected, but vast sums of money granted by the clergy to the king. A.D. 1488. 4 Hen. VII. Two synods at London.

21. John Giglis, an Italian, about this time employed by the pope, got an infinite mass of money, having power from the pope to absolve people from usury, simony, theft, manslaughter, fornication, adultery, and all crimes whatsoever, saving smiting of the clergy and conspiring against the pope, and some few cases reserved alone to his holiness. This Giglis gat for himself the rich bishopric of Worcester; yea, we observe that in that see a team of four Italians followed each other: A.D. 1489. Italians good at getting and holding.

i. John Gigles.

ii. Silvester Gigles.

iii. Julius Medices, afterwards Clement the Seventh.

iv. Hieronymus de Nugutiis [b].

Thus as weeds in a garden, once got in, hardly got out, as sowing themselves, so these Italians, having planted themselves in that rich place, were never gotten out (pleading, as it were, prescription of almost forty years' possession) till the power of

[a] Parker, Antiquit. Brit. pag. 446. [This is a mistake, according to Dr. Wake; it was held in 1489, and not in 1488. State of the Church, 385.]

[b] Godwin, [De Præsul. Angl. p. 468. John Gigles was a student in the university of Oxford. Wood. Antiq. in a. 1490.]

A. D. 1489. 5 Hen. VII. the pope was partly banished England, and then Hugh Latimer was placed in the bishopric.

A. D. 1494. Rochester bridge repaired by pardons.

22. Archbishop Morton, as one much meriting from the pope, was not only honoured with a cardinal's hat, of the title of St. Anastasius, but also privileged from his holiness to visit all places formerly exempt from archiepiscopal jurisdiction, empowering him also to dispense his pardons where he saw just cause. Hereupon, Rochester bridge being broken down, Morton, to appear a pontifex indeed, bestowed remission from purgatory for all sins whatsoever committed within the compass of forty days, to such as should bountifully contribute to the building thereof[c].

The king desired king Henry then the Sixth to be sainted.

23. The king had more than a month's mind (keeping seven years in that humour) to procure the pope to canonize king Henry the Sixth for a saint; for English saint-kings, so frequent before the Conquest, were grown great dainties since that time. France lately had her king Saint Louis, and why should not England receive the like favour, being no less beneficial to the church of Rome? Nor could the unhappiness of our king Henry, because deposed from his throne, be any just bar to his saintship, seeing generally God's best servants are most subject to the sharpest afflictions. His canonizing would add much lustre of the line of Lancaster, which made his kinsman and mediate successor king Henry the Seventh so desirous thereof. Besides, well might he be made a saint who had been a prophet; for when the wars between Lancaster and York first began, Henry the Sixth,

[c] Parker, Antiquit. Brit. ib.

beholding this Henry the Seventh, then but a boy, playing in the court, said to the standers-by, "See, "this youth one day will quietly enjoy what we at "this time so much fight about." This made the king with much importunity to tender this his request unto the pope; a request the more reasonable, because it was well-nigh forty years since the death of that Henry, so that only the skeletons of his virtues remained in men's memories, the flesh and corruption (as one may say) of his faults being quite consumed and forgotten [d]. A. D. 1494. 10 Hen. VII.

24. Pope Alexander the Sixth, instead of granting his request, acquainted him with the requisites belonging to the making of a saint: first, that to confer that honour (the greatest on earth) was only in the power of the pope, the proper judge of men's merits therein; secondly, that saints were not to be multiplied but on just motions, lest commonness should cause their contempt; thirdly, that his life must be exemplarily holy, by the testimony of credible witnesses; fourthly, that such must attest the truth of real miracles wrought by him after death; fifthly, that very great was the cost thereof, because all chanters, choristers, [e], bell-ringers, (not the least clapper in the steeple wagging, except money was tied to the end of the rope,) with all the officers of the church of St. Peter, together with the commissaries and notaries of the court, with all the officers of the pope's bedchamber, to the very The requisites to a canonization.

[d] [This account of the canonization of Henry VI. is taken from Parker's Antiquit. Brit. p. 447, who extracted it from the register of archbishop Morton.]

[e] The Latin is parafrenarii [ecclesiæ Sti Petri. Thus we find the expression "parafrenarii clericorum" in Harduin's Concil. ix. 1752.]

A. D. 1494. 10 Hen. VII. locksmiths, ought to have their several fees of such canonization: adding that the total sum would amount to fifteen hundred ducats of gold [f].

Tantæ molis erat Romanum condere Sanctum.

Concluding with that which made the charges, though not infinite, indefinite, that the costs were to be multiplied *secundum canonizati potentiam*, according to the power or dignity of the person to be canonized. And certain it was the court of Rome would not behold this Henry the Sixth in the notion he died in, as a poor prisoner, but as he lived, a king, so long as he had this Henry his kinsman to pay for the same.

These applied to king Henry VI.

25. Most of these requisites met in king Henry the Sixth, in a competent measure. First, the holiness of his life was confessed by all, save that some sullen persons suggested that his simplicity was above his sanctity, and his life pious, not so much out of hatred as ignorance of badness. As for miracles, there was no want of them, if credible persons might be believed, two of whose miracles it will not be amiss to recite.

A brace of miracles wrought by king Henry VI.

26. Thomas Fuller, a very honest man, living at Hammersmith, near London, had a hard hap accidentally to light into the company of one who had stolen and driven away cattle, with whom, though wholly innocent, he was taken, arraigned, condemned, and executed; when on the gallows, blessed king Henry (loving justice when alive, and willing to preserve innocence after death) appeared unto him, so ordering the matter that the halter did not

[f] Parker's Antiq. Brit. p. 448.

strangle him; for having hung an whole hour, and taken down to be buried, he was found alive; for which favour he repaired to the tomb of king Henry at Chertsey, (as he was bound to do no less,) and there presented his humble and hearty thanks unto him for his deliverance [g]. The very same accident, *mutatis mutandis* of place and persons, (with some addition about the apparition of the Virgin Mary,) happened to Richard Boyes, dwelling within a mile of Bath; the story so like, all may believe them equally true. A. D. 1494. 10 Hen. VII.

27. All the premises required to a saint appearing in some moderate proportion in Henry the Sixth, especially if charitably interpreted, (saints themselves need some favour to be afforded them,) it was the general expectation that he should be suddenly canonized; but pope Alexander the Sixth delayed, and in effect denied king Henry's desire herein; yea, Julius, his next successor of continuance, (not to mention the short-lived Pius the Third,) continued as sturdy in his denial.

28. Men variously conjecture why the pope in effect should deny to canonize king Henry the Sixth. A witty but tart reason is rendered by a noble pen [h], because the pope would put a difference betwixt a saint and an innocent; but others conceive king Henry not so simple himself, his parts only seeming the lower being over-topped with a high-spirited queen; more probable it is what another saith [i], that seeing king Henry held the crown by a false title Reasons why king Henry VI. was not sainted.

[g] Harpsfield, Hist. Ecclesiastica, pag. 646.

[h] Lord Bacon's [Hen. VII. Works x. p. 469, ed. 1826.]

[i] See Mr. Habington, in the Life of Edw. IV. [p. 106, ed. 1640.]

A. D. 1494. 10 Hen. VII. from the true heir thereof, the pope could not with so good credit fasten a saintship on his memory. But our great antiquary resolveth all in the pope's covetousness, *in causa erat pontificis avaritia*, demanding more than thrifty king Henry the Seventh would allow [k]; who at last contented himself (by the pope's leave hardly obtained) to remove his corpse from Chertsey in Surrey, where it was obscurely interred, to Windsor Chapel, a place of greater reputation. Thus is he whom authors have observed twice crowned, twice deposed, twice buried; the best was, though he was not canonized, yet there was plenty of popish saints beside him, wherewith the calendar is so overstocked that for want of room they jostle one another.

A. D. 1497. Archbishop Morton procureth the sainting of Anselm.

29. But the saintship of Anselm, archbishop of Canterbury, was procured on cheaper terms, though it cost archbishop Morton much money, who procured the same. Indeed, Anselm being *alterius orbis papa*, the pope of the English world, (as the archbishop of Canterbury was termed,) no wonder if one pope upon reasonable terms did this courtesy for another. Besides, great was the merit of Anselm to the church of Rome, (little whereof goes far to obtain a canonization,) seeing he was the champion and confessor of the pope's cause, about investing of bishops, against two kings successively, William Rufus and king Henry the First.

The king's carriage to the pope.

30. Observable was the carriage of king Henry towards the pope, the clergy, and the poor Lollards. To the pope he was submissive, not servile, his devotion being seldom without design; so using

[k] Camd. Brit. in Surrey, [p. 212.]

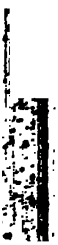
his holiness, that he seldom stooped down to him in any low reverence, but with the same gesture he took up something in order to his own ends. A. D. 1497. 13 Hen. VII.

31. To the clergy of desert he was very respectful, trusting and employing them in state affairs more than his nobility. To the dissolute and vicious clergy he was justly severe, and pared their privileges, ordaining that clerks convict should be burnt in the hand [l], both that they might taste a corporal punishment and carry a brand of infamy. But for this good act the king himself was afterwards branded, by mock-king Perkin's proclamation, for an execrable breaker of the rights of holy church. He also made a law that begging scholars, though clerks, should be reputed vagabonds, without they shew the letters of the chancellor of the university from whence he saith he cometh [m]. Severe to the vicious clergy.

32. To the Lollards (so were God's people nicknamed) he was more cruel than his predecessors; for he not only in the beginning of his reign connived at the cruel persecutions which John Halse, bishop of Coventry and Lichfield, raised against them, but towards the end of his reign appeared in his person very bloody unto them, if the story be true which is very lamely delivered unto us. There was in Canterbury an old priest, so resolute in Wicliffe's opinions, that none of the clergy there could convince him of the contrary. The king, casually coming thither in the month of May, undertook the priest himself, though we never read before of his majesty's disputing, save when he dis- Sad to be the king's convert. A. D. 1498

[l] Lord Bacon's Life of Hen. VII. pag. 66.

[m] Statutes, 11° Hen. VII. cap. 2.



bishop lived not to finish his intentions, and therefore, after his death, Richard Sutton, esq. [q] took upon him to perfect the same, and accomplished it accordingly. A.D. 1498 14Hen.VII

Principals.	*Bishops.*	*Benefactors.*	*Learned men.*
[1510.] Matthew Smith.	Richard Barnes, bishop of Durham [s].	William Clyfton.	Richard Caldwell, doctor of physic, and founder of a chirurgery lecture in London [t].
[1547.] John Hawarden.		William Porter.	
[1564.] Thomas Blanchard.		John Elton, alias Baker.	
[1573.] Richard Harris.		Humphrey Ogle.	
[1595.] Alexander Nowell.		Edward Darby.	
[1595.] Thomas Singleton.		John Claymond.	
[1614.] Samuel Radcliffe [r].		John Williamson.	
Thomas Yate.		Brian Hygden.	
[1648. Dr. Daniel Greenwood.		Alexander Nowell.	
		Joyce Frankland.	
		Richard Harpur.	
		Sir John Port.	Robert Bolton, a famous preacher.
		John Lord Mordaunt.	
		Dr. John Barneston.	
		George Palyn.	

So that at this present the college is much beautified with buildings and ornaments, for the perfecting whereof great sums have been expended within these few last years; maintaining a principal, twenty

[q] [He was of the bishop's counsel from the first in this design, and nearly equalled him in liberality to the college. See Wood, ib. p. 354.]

[r] [He was elected by the parliament in 1648, and died a few months after, when the parliament put in Mr. Greenwood, but the fellows elected Mr. Yate. Dr. Greenwood held it until the Restoration. See Wood, 365.]

[s] [Fourteen bishops are enumerated in Wood, to the death of the right hon. Fred. Harvey, bishop of Derry, in 1768.]

[t] Camden's Eliz. in anno 1585.

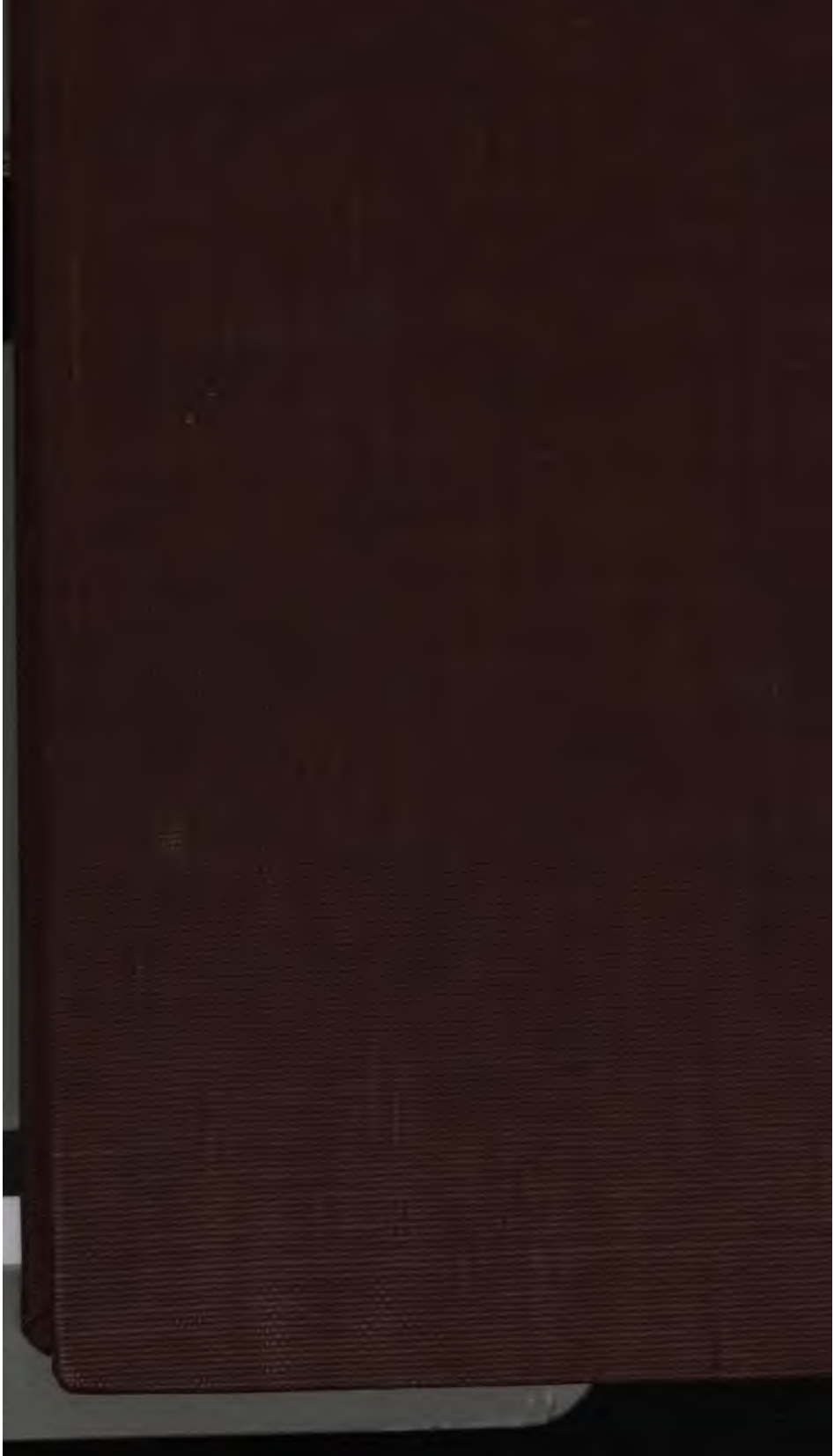
A. D. 1498. 14 Hen. VII. fellows, besides scholars, officers, and servants of the foundation, in all (anno 1634) amounting to one hundred eighty-six. Cheshire-men, whose county is called *Nobilitatis Altrix*, and those of Lancashire, (most commendable *ob bonitatem habitudinis et decorem aspectus*,) are in this college most proper for preferment.

A. D. 1500. The death of archbishop Morton.

35. John Morton, cardinal and archbishop of Canterbury, deceased, many condemned him in his life for acting and putting the king forward to be burthensome to his subjects with his taxes [u]; but his innocence appeared after his death, that he rather tempered the king's covetousness than otherwise. He was a learned man, and had a fair library, (rebussed with More in text and Tun under it,) partly remaining in the possession of the late earl of Arundel. I find him in the catalogue of the benefactors of St. John's College in Cambridge—understand it by his executors, otherwise the first brick of that house was laid nine years after the archbishop's death [x]. Now as this was a sad year

[u] [Merely because he was of the privy council. See Stow, p. 479.]

[x] [The character of this prelate has been admirably drawn by sir Thomas More, in the seventh book of his Utopia, with which I will conclude this volume. "In the mean "season I was much bound "and beholden to John Mor- "ton, archbishop and cardinal "of Canterbury, and at that "time also lord chancellor of "England, a man not more "honourable for his authority "than for his prudence and "virtue. He was of mean "stature, and though stricken "in years, yet bare he his "body upright; in his face "did shine such an amiable "reverence as was pleasant to "behold. Gentle in commu- "nication, yet earnest and "sage. He had great delight "many times with rough speech "to his suitors, to prove, but "without harm, what prompt "wit and what bold spirit "were in every man; in the "which, as in a virtue much "agreeing with his nature, "(so that therewith were not

to Canterbury, wherein their good archbishop departed, so was it a joyful year at Rome, for the coming in of that jubilee which brought men and money there; yet many went to Rome in effect which stayed in England, by commuting their journey into money, which was equally meritorious, the pope's officers being come over to receive the same. A. D. 1500. 16Hen.VII.

" joined impudency,) he took " great delectation; and the " same person as apt and meet " to have an administration in " the weal public he did lo- " vingly embrace. In his speech " he was fine, eloquent, pithy; " in the law he had profound " knowledge; in wit he was " incomparable; and in me- " mory wonderfully excellent. " These qualities, which in " him were by nature singular, " he by learning and use had " made perfect. The king " put much trust in his coun- " sel; the weal public also in " a manner leaned unto him, " when I was there; for even " in the chief of his youth he " was taken from school into " the court, and there passed " all his time in much trouble " and business, being continu- " ally tumbled and tossed in " the waves of divers misfor- " tunes and adversities; and " so by many and great dan- " gers he learned the expe- " rience of the world, which, " so being learned, cannot " easily be forgotten."]